Supreme Court, U.S.
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85-1170

IN THE

Supreme Court of the United States

OCTOBER TERM, 1985

No.

BAY RIDGE COMMUNITY COUNCIL, INC., et al.,

Plaintiffs-Appellants,

v.

HUGH L. CAREY, et al.,

Defendant-Appellees.

In the Matter of the Petition of
BERNARD J. LeBLANC,

Petitioner-Appellant,

In the Matter of the Petition of
ROBERT P. WHELAN,

Petitioner-Appellant,

CLARENCE P. RAPPLEYEA

Intervenor-Appellant

ON APPEAL FROM THE COURT OF
APPEALS OF THE STATE OF NEW YORK

JURISDICTIONAL STATEMENT

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QUESTION PRESENTED

Whether a challenge made to a State statute which reapportioned the State's legislative districts is justiciable, where it is claimed that the statute constitutes a partisan political gerrymander in violation of the Equal Protection Clause of the Fourteenth Amendment.

PARTIES TO THE PROCEEDINGS BELOW

The parties to the proceedings below are Bay Ridge Community Council, Inc., Walter A. Kassenbrock, Robert Hedlund, Paul Gold, Victor J. Rosse, Jane Kelly, Ralph A. Fabrizio, and Rosemarie O'Keefe, plaintiffs below; Hugh L. Carey, both individually and as the Governor of the State of New York, Mario M. Cuomo, both individually and as Lieutenant Governor of the State of New York, and as Presiding Officer and President of the Senate of the State of New York, Robert Abrams, both individually and as Attorney General of the State of New York, Warren M. Anderson, both individually and as Temporary President and Majority Leader of the Senate of the State of New York, Stanley Fink, both individually and as Speaker of the Assembly of the State of New York, Jay P. Rolison, Jr., both individually and as Co-Chairman of the Legislative Task Force on Reapportionment, Melvin A. Miller, both individually and as Co-Chairman of the Legislative Task Force on Reapportionment, New York State Board of Elections, Board of Elections in the City of New York, defendants-appellees below; Bernard J. LeBlanc petitioner-appellant below; Robert P. Whelan, petitioner-appellant below; Robert Abrams, as Attorney General, Warren Anderson, as Temporary President of the Senate, Stanley Fink, as Speaker of the Assembly, and Hugh Carey, Governor, respondents-appellees below; and Clarence P. Rappleyea, Intervenor-appellant below.

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Intervenor-Appellant.

ON APPEAL FROM THE COURT OF
APPEALS OF THE STATE OF NEW YORK

JURISDICTIONAL STATEMENT

In this action, where the validity of a state statute was questioned on the ground of being repugnant to the Constitution and laws of the United States, Intervenor-Appellant Clarence P. Rappleyea appeals from the final order of the Court of Appeals of the State of New York in favor of the constitutional validity of a statute which reapportioned the Assembly districts of the State of New York.

THE OPINION BELOW

The order of the Court of Appeals of the State of New York, reprinted in the Appendix at page A-1, affirmed the order of the Appellate Division of the Supreme Court of the State of New York for the reasons stated in the per curiam opinion of the Appellate Division. The Appellate Division's opinion is reprinted in the Appendix at A-2, and is officially reported at 103 A.D.2d 280. The memorandum opinion of Justice Adler at Special Term of the Kings County Supreme Court is reported in *Bay Ridge Community Council v. Carey,* 115 Misc. 2d 433, and the opinion in *Flateau v. Anderson,* reported at 537 F.Supp. 257, *appeal dismissed* 458 U.S. 1123, both mentioned in the Appellate Division opinion as reciting the essential facts of this case, are reprinted at A-10 and A-24, respectively.

JURISDICTION

By final order dated October 10, 1985, New York's highest court, the Court of Appeals, upheld the validity and constitutionality of the State's statute which reapportioned the Assembly district lines of New York. The legislation had been challenged *inter alia* on the ground that it was repugnant to the Constitution and laws of the United States.

The order of the Court of Appeals of the State of New York was duly entered on October 18, 1985, in the office of the Kings County Clerk, Clerk of the Supreme Court,

State of New York, Kings County. A Notice of Appeal to this Court was duly filed in the New York Court of Appeals on January 6, 1986. A date-stamped copy of the Notice of Appeal is reprinted at A-44. A Notice of Appeal was also filed on January 6, 1986, in the Kings County Clerk's office, which is the court possessed of the Record. A date-stamped copy of the filing of that Notice of Appeal is reprinted at A-47. This appeal is being docketed within 90 days after entry of the order appealed from, and also within 90 days of the date of the decree by the New York Court of Appeals.

Jurisdiction is conferred upon this Court by 28 U.S.C. section 1257, subdivision 2.

CONSTITUTIONAL PROVISION AND STATUTE INVOLVED

The United States Constitution, Amendment XIV, Section 1 provides that:

> All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The New York State statute which reapportioned the Assembly districts in New York appears at Chapter 455, Laws of 1982, as amended in Chapter 1002, Laws of 1983, officially reported in McKinney's Consolidated Laws of New York, State Law §121. The pertinent provisions of the statute are reprinted at A-50. Ten copies of a map depicting the Assembly district lines under Chapter 1002 have been lodged with this Court.

STATEMENT OF THE CASE

On March 26, 1982, a federal statutory three-judge court sitting in the Southern District of New York in *Flateau, et al. v. Anderson, et al.*, 82 Civ. 876, ruled that the then-existing lines for the New York State Senate and Assembly districts, drawn pursuant to the 1970 census, could not be used to conduct elections for terms commencing on or after January 1, 1983. That court directed New York State officials to devise and enact a constitutional reapportionment plan by April 16, 1982. The opinion of the federal court is reported at 537 F.Supp. 257, and is reprinted at A-24. On April 23, 1982, the court appointed a Special Master to develop a reapportionment plan by June 1, 1982, when it found that New York State had failed, in violation of the Court's March 26, 1982 order, to devise and enact a constitutional reapportionment plan. That order is reprinted at A-157. Racing against the Special Master's deadline, the New York State Senate and the Assembly passed Chapter 111, Laws of 1982, and the statute was signed into law on May 19, 1982.

This action consists of three separate actions which were brought to challenge Chapter 111. The three separate actions were consolidated in the Supreme Court, State of New York, Kings County. In the consolidated action, Chapter 111 was challenged on the ground, *inter alia*, that it was a partisan political gerrymandering statute in violation of the Equal Protection Clause of the Fourteenth Amendment.

Before issue was joined by service of pleadings responsive to the complaint and the two petitions, all defendants and respondents, with the exception of the New York City Board of Elections, moved to dismiss the complaint and the two petitions which comprised the consolidated action. The parties further requested judgment declaring Chapter 111 of the Laws of 1982 to be constitutional and valid.

Holding that it must first determine whether the challenges to the reapportionment plan are justiciable, the Supreme Court, Kings County, dismissed the complaint and petitions. The court ruled that the issue of partisan political gerrymandering is nonjusticiable, and consequently denied petitioner LeBlanc's discovery demand for disclosure of and access to the computerized demographic and political data base information used in the computer assisted map-making process by the Democrat controlled Assembly. The court dismissed the actions and declared the statute valid and constitutional, not only before issue was joined, but also before any discovery proceedings were permitted to take place, and it did so without the benefit of an evidentiary hearing or plenary trial. The Kings County Supreme Court's opinion, officially reported at 115 Misc. 2d 433, is reprinted at A-10.

Chapter 111 was thereafter amended by Chapter 455, Laws of 1982, in order to address certain objections raised by the Attorney General of the United States regarding compliance with the Voting Rights Act of 1965. The order of the Kings County Supreme Court was then resettled to include reference to Chapter 455, inasmuch as the amendment had no impact on the grounds for the constitutional challenge by plaintiffs and petitioners. The court's resettled order is reprinted at A-161. Chapter 455 itself was later amended by Chapter 1002, Laws of 1983, which made technical corrections in the descriptions of the Senate and Assembly districts by substituting proper street and boundary names. The corrections did not make changes in the political or racial composition of the districts.

The Appellate Division of the Supreme Court, New York's intermediate appellate court, affirmed the ruling of the Supreme Court, Kings County. The Appellate Division per curiam opinion stated that "a court is powerless to review a challenge to a reapportionment plan on the ground that it amounts to a partisan political gerrymander". The Appellate Division's order and per curiam opinion is reprinted at A-2.

Despite the procedural status of the consolidated action, that is, prior to joinder of issue, on a motion to dismiss the pleadings, with discovery precluded and without the benefit of an evidentiary hearing or plenary trial, the Appellate Division opined in dicta that even if the claims of partisan political gerrymandering were justiciable, the plaintiffs and petitioners did not submit evidence of partisan intent, and did not show that the legislature had any better reapportionment plans before it as alternatives. New York's highest court, the Court of Appeals, affirmed for the reasons stated in the per curiam opinion at the Appellate Division. The Court of Appeals decision is reprinted at A-1.

It is submitted that the issue of the justiciability of partisan political gerrymandering is clearly and sharply drawn in this case. The claims by plaintiffs and petitioners were dismissed at the pleadings stage, on the grounds of nonjusticiability, before any discovery proceedings were possible. Dismissal of the consolidated action at the pleadings stage on the justiciability issue, without benefit of discovery or an evidentiary hearing, foreclosed the parties from adducing a complete record of proof on the merits of their claims. However, numerous indicia of classic political gerrymandering nevertheless are present in this case. Plaintiffs and petitioners were not the only ones who were denied access to the computer-based political and demographic information used to draw the reapportionment maps. The Republican Minority in the New York Assembly, represented by Minority Leader Clarence P. Rappleyea, Intervenor in this consolidated action, was also deprived of effective access to the computers containing the demographic and political data base information that the architects of the reapportionment legislation had used to draw the Assembly district lines. Thus, the Democrat-controlled Assembly effectively excluded the Republican minority from the map-making process in the Assembly.

It is submitted that there is *prima facie* factual evidence of political gerrymandering in the lack of procedural fairness surrounding the passage of the reapportionment legislation in this case: first by excluding the Republican minority in the Assembly from participating in drawing Assembly district lines, and then by denying them any reasonable opportunity to challenge the lines drawn, by depriving the Republican minority of effective access to the computer data base information, particularly in light of the race with the Special Master to adopt a plan before June 1, 1982.

There is further *prima facie* factual evidence of political gerrymandering by the statute's unwarranted fragmentation of counties, despite New York's historic and traditional policy of preserving the integrity of the county lines in the reapportionment process. Clearly, it is not possible to preserve all county lines in light of the overriding principle of one-person, one-vote under the Constitution (*WMCA v. Lomenzo,* 377 U.S. 633). However, that principle did not displace all considerations of established and historically regarded political boundaries such as county lines. Based on the 1980 census information, New York has 38 minor counties (that is, a county with less than a full ratio for apportionment). The Assembly reapportionment under scrutiny divides more than one-third of the minor counties (14 in all),[1] and creates 16 districts with 3 or more counties, or portions thereof, in them, involving a total of 56 segments of different counties. This was done despite the fact that the combined population deviation from the full ratio is more than 8.1%. By contrast, under the 1972 reapportionment statute, only 11 minor counties were divided and only 11 districts contained 3 or more counties, or portions thereof, consisting of a total of only 36 segments, despite a combined population deviation from the full ratio of only 3.38%. Had the statute under scrutiny drawn Assembly district lines in a non-invidious manner, the deviation of more than 8.1% should have resulted in a significant reduction rather than an increase in the number of minor county divisions and 3 county districts that had been attained under the 1972 legislation. That it did not happen is compelling evidence of the political manipulation that occurred.

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[1] Cayuga, Chenango, Columbia, Essex, Franklin, Herkimer, Montgomery, Ontario, Otsego, Putnam, Sullivan, Tioga, Warren and Wayne.

Finally, further indicia of political gerrymandering exists in the distortion of the proportionate strength of the Republican party in the Assembly. While this Court has held that no group has the right to representation in proportion to its strength in the population, *City of Mobile v. Bolden,* 446 U.S. 55 (1980), the proportion of seats won to the number of votes cast for a political party at the very least serves as some indicia of political gerrymandering to be viewed in the context of all other factors.

For example, in Kings County only one of the Assembly seats is so districted as to give the Republican party a chance at winning. The close-knit Bay Ridge, New Utrecht area, a Republican bastion which has always been divided into two Assembly districts is fractured among the 52nd, 51st, 49th, 48th, 47th and 46th Assembly districts. Undeniably, this was done to deny Republicans the opportunity to elect the 2 out of the 19 Assembly members from Kings County which they traditionally elected. In Bronx County the lone Republican Assembly district prior to the current reapportionment scheme, the old 80th, is now divided among the 75th, 78th, 79th and 81st Assembly districts, in any act of fragmentation that goes too far to be coincidental. Richmond County's delegation under the 1980 census was increased from 2-½ to 3 Assembly seats. In 1980, Republican candidates for the Assembly earned more than 52% of the vote cast for the candidates of the two major parties and their allied lines. However, when Republican candidates took more than 50% of the vote in 1982, they were able to win only one of those three seats as a result of the reapportionment scheme. Here, the minority became the majority by creative districting. In 1984, when the Republican vote was increased to 53.5% of the votes cast for the Assembly, they were still able to win only one seat due to the extraordinary district lines drawn by the reapportionment statute in Richmond County. Ten copies of a map showing the three districts in that county, and the extraordinary shape of the 59th, have been lodged with this Court. In Richmond, the technique of "packing" or "stuffing" the 60th Assembly District with heavy Republican concentrations was also used, in order to nullify Republicans' chances elsewhere.

The same pattern of vote dilution has persisted throughout the state, with long thin districts designed to concentrate Republican strength into a smaller number of districts, to reduce the Republican seats in the Assembly. Typical is the situation in Onondaga County. The four Assembly districts created by the reapportionment statute are designed to elect a majority of Democrats even though the county has a substantial Republican plurality. The plan overloads the 121st Assembly district and draws it so that it nearly circles the county. Examination of the prior patterns demonstrate that this combination of macro-micro districting is unprecendented for the simple reason that it is plainly "inconvenient." Such examples or irrational map-making (irrational, at least, without political intent) are pervasive throughout the reapportionment statute.

The New York City area is yet another example of vote dilution accomplished by the reapportionment statute. In 1980, there were 65 Assembly members from the New York City area, 12% of them Republicans (58 Democrats and 7 Republicans). Under the reapportionment statute the 944,000 Democratic voters in New York City elected 59 Democratic Assembly members in 1982; however, the 270,000 Republican voters were able to elect only one Republican to represent them. Thus, each Democratic vote was given 16 times the weight of each Republican vote in New York City in 1982. In 1984, Republicans obtained 24% of the vote, but were able to win only three out of the 60 Assembly seats. Thus, 24% of the vote got only 5% of the Assembly representation from that area.

Finally, further indicia of political gerrymandering appears in the number of elongated and "double-cut" districts as well as odd couple pairings within districts. Examples of elongated districts abound: the 99th Assembly district stretches from Putnam County north through Duchess, Columbia, and Rensselaer counties, up to Washington County; the 109th

Assembly district runs from the heart of the Adirondack preserve to the banks of the Mohawk, turning a sharp corner through Saratoga County in order to link up portions of several other counties; the 111th Assembly district extends from Oneonta up to the suburbs of Syracuse; the 113th Assembly district combines parts of a multitude of counties as it stretches from the Vermont border in the north, traveling through the Adirondack Park, finally ending up at the outskirts of Oneonta in the south.

Examples of "odd couple" pairings with paucity of traditional ties are found in the 135th Assembly district, where the townships of Hamlin and Menden, in the extreme northwest and southeast corners of Monroe County, respectively, are placed in the same Assembly district; in the 121st Assembly district, where a nearly concentric circle is formed around the 119th Assembly district by placing together the Towns of Manlius, Fabius, Spafford and Lysander, which are literally in the four corners of the Onondaga County; in the 91st Assembly district, where Westchester is paired with Orange County, and in the 90th Assembly district, where Westchester is paired with Duchess, both unprecendented matchings.

Furthermore, instead of taking a continguous segment of a county and joining it in an Assembly district containing another county or counties or portions thereof, the reapportionment statute, in an unprecendented display of gall, "double-cuts" numerous county lines. Thus, the City of Beacon and the City of Poughkeepsie are plucked from Duchess county and placed in the 96th Assembly district, along with portions of Ulster County and Orange County. Between Beacon and the City of Poughkeepsie intervenes the Towns of Poughkeepsie, Wappinger and Fishkill, but none of these Towns are in the 96th Assembly district. In the 106th Assembly district, protions of the City of Albany are joined with the Town of Green Island and the City of Watervliet. In a district containing also portions of Rensselaer County, the Town of Colonie intervenes between the City of Albany and the City of Watervliet. Finally, the 148th Assembly district intervenes between the "north fork" and the "south fork" portions of the 147th Assembly district.

While none of the foregoing affords conclusive proof of political gerrymandering, the parties challenging the statute were entitled at least to explore in an adversarial context these and other indicia to establish patterns of partisan gerrymandering not motivated by neutral, non-invidious criteria. Dismissal based upon the nonjusticiability of political gerrymandering precluded an adversarial challenge to the reapportionment statute.

THE QUESTIONS PRESENTED ARE NOVEL AND SUBSTANTIAL

This appeal puts directly at issue the question of the justiciability of partisan political gerrymandering, in an age where computer technology has made it possible to carry out sophisticated forms of gerrymandering, while at the same time perfectly satisfying equal population criteria under the one-man, one-vote principle. As Justice Stevens has noted: "Computers now make it possible to generate a large number of alternative plans, consistent with equal population guidelines and various other criteria, in a relatively short period of time, and to analyze the political characteristics of each one in considerable detail." *Karcher v. Daggett*, 462 U.S. 725, at 752 n.10 (Stevens, J., concurring). *See also Id.* at 776 (White, J., dissenting).

With a virtually infinite number of alternative plans that can be computer-generated with speed and precision, it is now possible to create what has come to be called the equal population gerrymander, under which even the worse forms of political gerrymandering can be justified on equal population grounds alone. As Justice Stevens wrote: "the rule of absolute equality is perfectly compatable with 'gerrymandering' of the worst sort." *Karcher*, 462 U.S. at 725, (Stevens, J. concurring), quoting *Wells v. Rockefeller*, 394 U.S. 542, 551 (1969) (Harlan, J., dissenting): *see also Karcher*, 462 U.S. at 776 (White, J., dissenting).

The right to vote is the most basic right upon which all other rights depend. *Reynolds v. Sims,* 377 U.S. 533 (1964); *Wesberry v. Sanders,* 376 U.S. 1 (1964). However, when a vote is counted at the ballot box, only to be dilluted or negated later by a political gerrymander, an impermissable circumvention of a precious right occurs. Permitting the proverbial "end-run" around such a fundamental constitutional right should not be countenanced.

The framework of judicial standards under the Equal Protection Clause of the Fourteenth Amendment are well developed and familiar. *Baker v. Carr,* 369 U.S. 186 (1962). This framework need not be "extended" to cover political as well as racial gerrymandering because the two are logically inseparable (Robert G. Dixon, Jr., *Democratic Representations: Reapportionment in Law and Politics* [1968, p. 466]). Indeed, it has been observed that racial gerrymandering is so fundamentally rooted in political gerrymandering that the additional racial grounds for the voting dilution claim is superfluous:

> If members of the minority voted no differently from the population as a whole, the gerrymander would have no effect, either on the composition of the elected officiary or on the political power of the minority. It is the political, not the racial character of the group that is significant. Since the right to political participation can be derived from the voting rights theory of *Baker* and *Reynolds*, the additional racial grounds for the voting dilution claims is superfluous (*Constitutional Challenges to Gerrymanders,* 45 U. Chi. L. Rev. 845, 856, [1978]).

Numerous decisions of this Court have provided the underpinnings for finding political gerrymandering justiciable. This Court in other contexts has forbidden discrimination on the

basis of political views or party allegiance. *Elrod v. Burns*, 427 U.S. 347 (1976); *Branti v. Finkel*, 445 U.S. 507 (1980). Moreover, in *Fortson v. Dorsey*, 379 U.S. 433 (1965) it expressly recognized that politcal gerrymandering may give rise to a justiciable claim:

> It might well be that, designedly or otherwise, a multi-member constituency apportionment schme, under the circumstances of a particular case, would operate to minimize or cancel out the voting strength of racial or political elements in the voting population. When this is demonstrated it will be time enough to consider whether the system still passes constitutional muster. This question, however, is not presented by the record before us. 379 U.S. at 439.

The validity of multimember district systems has long since been deemed justiciable. *Whitcomb v. Chavis*, 403 U.S. 124 (1971); *Burns v. Richardson*, 384 U.S. 73 (1966); *Chapman v. Meier*, 4 U.S. 1 (1975). Finally in *Karcher v. Daggett*, 462 U.S. 725 (1983) five out of nine members of this Court appeared to recognize that gerrymandering may be justiciable beyond the discriminatory use of multimember districts. Although a plurality of this Court did not address the claim that the plan constituted an actionable political gerrymander, Justice Stevens in a concurring opinion stated that "political gerrymandering is one species of 'vote dilution' that is proscribed by the Equal Protection Clause." 462 U.S. at 744. In a separate dissent, Justice Powell stated "I also believe that the injuries that arise from gerrymandering may rise to constitutional dimensions." *Id.* at 787. Justice Powell too was "prepared to entertain constitutional challenges to partisan gerrymandering that reach the level of discrimination described by JUSTICE STEVENS." *Id.* Furthermore, Justice White in a dissent joined by the Chief Justice and Justices

Powell and Rehnquist after noting that the gerrymander was "a far greater potential threat to the equality of representation," restated the point that "neither the rule of absolute equality nor one of substantial equality can alone prevent deliberate partisan gerrymandering." *Id.* at 776 (quoting *Kirkpatrick v. Preisler,* 394 U.S. 526, 555 (1969) (White, J., dissenting)).

It is submitted that this case presents squarely the issue of the justiciability of political gerrymandering, having been dismissed as nonjusticiable on the pleadings alone, without the benefit of any discovery proceedings, evidentiary hearing or plenary trial. By reason of the foregoing, it is submitted that this case is appropriate for plenary consideration by the Court.

CONCLUSION

For all the foregoing reasons, appellant respectfully requests that the Court note probable jurisdiction and set this case down for a hearing at the earliest possible date.

January 7, 1986

Respectfully submitted,

s/_____

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APPENDIX

Bay Ridge Community Council, Inc., et al.,
Plaintiffs

v.

Hugh L. Carey, &c., et al.,
Respondents.

(Action No. 1)

Matter of Bernard J. LeBlanc,
Petitioner.

(Action No. 2)

Matter of Robert P. Whelan,
Appellant.

(Action No. 3)

Clarence D. Rappleyea,
Intervenor-Appellant.

DECISION
COURT OF
APPEALS
OCT 10 1985

Order affirmed, without costs, for the reasons stated in the opinion Per Curiam at the Appellate Division (103 AD2d 280). Chief Judge Wachtler and Judges Jasen, Meyer, Simons, Kaye and Alexander concur. Judge Titone took no part.

SUPREME COURT—APPELLATE DIVISION
SECOND JUDICIAL DEPARTMENT

September 17, 1984

TITONE, J.P., O'CONNOR, BOYERS AND EIBER, JJ

BAY RIDGE COMMUNITY COUNCIL, INC., et al.,
Appellants

-against-

HUGH L. CAREY, etc., et al.,
Respondents.

(Action No. 1)

In the Matter of BERNARD J. LeBLANC,
Appellant.

(Action No. 2)

In the Matter of ROBERT P. WHELAN,
Appellant.

(Action No. 3)

CLARENCE D. RAPPLEYEA,
Intervenor.

OPINION

Appeal from so much of a resettled order and judgment (one paper) of the Supreme Court (GERLAD ADLER, J.), dated December 15, 1982, and entered in Kings County, as, *inter alia*, upon motions for summary judgment, declared chapter 455 of the Laws of 1982 (now L 1983, ch 1002) valid and constitutional in all respects.

Andrew L. Sichenze and Vincent Rosato, Brooklyn, N.Y. (John J. Halloran, Jr. on the brief), for appellants in Action No. 1.

Gibbons and Burke, P.C., Scotia, N.Y., for appellant in Action No. 2 (relying on the brief of the intervenor).

McHugh, Leonard & O'Conor, New York, N.Y. (Robert P. Whelan *pro se* of counsel), for appellant in Action No. 3.

Robert Abrams, Attorney-General, New York, N.Y. (George D. Zuckerman of counsel), respondent. *pro se* and for respondents Hugh L. Carey, Mario M. Cuomo, and State Board of Elections

Graubard Moskovitz McGoldrick Dannett & Horowitz, New York, N.Y. (C. Daniel Chill and Kenneth Shapiro of counsel), for respondents Stanley Fink and Melvin H. Miller.

Scolaro, Shulman, Cohen & Lawler, P.C., Syracuse, N.Y. (Richard S. Scolaro of counsel), for the intervenor.

PER CURIAM. The essential facts of this case are succinctly recited in the memorandum of Justice ADLER at Special Term (*Bay Ridge Community Council v Carey,* 115 Misc 2d 433), and in *Flateau v Anderson* (537 F Supp 257, app dsmd 458 US 1123). The matter before us is a challenge to the constitutionality of chapter 455 of the Laws of 1982, which re-apportioned the Senate and Assembly districts of the State of New York. That section superseded chapter 111 of the Laws of 1982, the challenged section originally before Special Term.

We fully agree with Justice ADLER that chapter 455 of the Laws of 1982, as amended, apportioning and distributing the Senate and Assembly districts of the State of New York, complies with those provisions of article III of the New York State Constitution which remain in force and effect (see *WMCA, Inc. v Lomenzo,* 377 US 633; *Matter of Orans,* 15 NY2d 339), and is otherwise valid as a matter of law. Therefore, we affirm the resettled judgment and order insofar as appealed from.

On this appeal, the following issues are raised: (1) whether the law apportioning and distributing the Senate and Assembly districts of the State of New York is in violation of section 5 of article III of the New York State Constitution because the Assembly districts are not "in as compact form as practicable", are not composed of "contiguous territory", and are not "convenient", (2) whether the law is in violation of the Fourteenth Amendment of the United States Constitution because it invidiously discriminates against a political group and because it impermissibly impairs the voting power of the voters of the community of Bay Ridge and amounts to a partisan political gerrymander; and (3) whether section 5 of article III of the New York State Constitution has otherwise been violated because Hamilton and Fulton Counties are not in the same Assembly district, numerous minor

counties (counties which have insufficient population to maintain a full Assembly district) are divided, and because the Legislature, instead of the New York City Council, reapportioned the Assembly districts in Kings County. We address each of these issues seriatim.

Section 5 of article III of the New York State Constitution directs that the counties of the State shall be divided "into assembly districts as nearly equal in number of inhabitants***of convenient and contiguous territory in as compact form as practicable". Initially, we note that appellants have submitted affidavits making numerous unsupported allegations of constitutional violations, together with maps of the challenged districts. These submissions are insufficient for a court to render a finding that the challenged districts are unconstitutional (see *Matter of Richardson [Stark],* 307 NY 269, 273).

In any event, the law complies with the constitutional requirements of compactness, contiguity, and convenience. Legislative districts need only be as compact as practicable. They need not be drawn in the form of geometric figures or perfect circles (see *Matter of Richardson [Stark], supra; Matter of Dowling,* 219 NY 44). The Legislature may, at a minimum, take account of existing political subdivision lines, topography, means of transportation and lines of communication without violating the compactness standards (see *Matter of Sherill v O'Brien,* 188 NY 185, 207). Where cities in which the population is heavily concentrated are concerned, the requirement of substantial population equality (*Reynolds v Sims,* 377 US 533; *WMCA, Inc. v Lomenzo, supra*) will necessitate districts whose boundaries at best are ragged (see *Matter of Schneider v Rockefeller,* 31 NY2d 420, 429-430).

In the case at bar, the challenged districts, both in Kings County and in upstate New York, are subject to the equality of population requirement of *Reynolds v Sims (supra).* Moreover, it is obvious that the Legislature intended to

avoid a total population deviation in excess of 10% between the Assembly district with the largest population and the district with the smallest population, since such a deviation constitutes a prima facie case of discrimination (see *Brown v Thomson*, _____ US _____, 103 S Ct 2690, 2696). In addition, Kings County, by virtue of the 1980 census, lost two and one-half Assembly districts, and the Legislature was required to maintain the voting power of minority groups pursuant to the Voting Rights Act of 1965 (US Code, tit 42, § 1973c; see *Flateau v Anderson, supra*). Hence, the challenged law is in compliance with the "compactness" and "convenience" requirements of section 5 of article III. Since all of the territory in all of the challenged districts is connected, the districts meet the requirements of "contiguity" (see *Matter of Schneider v Rockefeller, supra*, p 530).

The law is also in compliance with the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. Contrary to appellants' contention, there is no evidence that the law invidiously discriminates against any political group (see *Gaffney v Cummings*, 412 US 735; cf. *White v Regester*, 412 US 755; *Gomillion v Lightfoot*, 364 US 339). In fact, State legislative redistricting operates under a more relaxed standard than congressional redistricting (see *Brown v Thomson, supra; Gaffney v Cummings, supra; Mahan v Howell*, 410 US 315; cf. *Karcher v Daggett*, _____ US _____, 103 S Ct 2653; *Kirkpatrick v Preisler*, 394 US 526). The Federal courts have recognized that political considerations cannot be divorced from the State legislative redistricting process (see *Gaffney v Cummings, supra*, [although redistricting of Connecticut Legislature was obviously politically motivated, it was not unconstitutional]; see, also, *White v Regester, supra; Whitcomb v Chavis*, 403 US 124; *Burns v Richardson*, 384 US 73). Voter behavior is unpredictable, and no political group has a guaranteed constitutional right to proportional representation in a legislative body (see *City of Mobile v Bolden*, 446 US 55, 78-80).

The claim that the voting power of the voters of the community of Bay Ridge has been impermissibly impaired cannot be sustained. Similar cliams have been dismissed by the Federal courts (see *United Jewish Organizations of Williamsburgh v Wilson,* 510 F2d 512, affd on other grounds *sub nom. United Jewish Organizations of Williamsburgh v Carey,* 430 US 144; see, also, *Mirrione v Anderson,* 717 F2d 743, in which plaintiff's complaint, which asserted that the same 1982 Assembly redistricting plan attacked here impermissibly impaired the collective voting power of the voters of Rosedale, Queens, was dismissed for failure to state a claim for which relief could be granted).

Regarding the claim that the law amounts to a partisan political gerrymander, such a claim is nonjusticiable (see, e.g., *WMCA, Inc. v Lomenzo,* 382 US 4, 5-6 [HARLAN, J., concurring]; *Cousins v City Council of Chicago,* 466 F2d 830, 844-845, cert den 409 US 893; *Wells v Rockefeller,* 311 F Supp 48, 52, affd 398 US 901; *Koziol v Burkhardt,* 51 NJ 412, 241 A2d 451, 453). Appellants' claim that the issue is justiciable by virtue of the decision of the United States Supreme Court in *Karcher v Daggett (supra),* is incorrect. First, *Karcher* applies only to congressional redistricting, not State legislative redistricting (*Karcher v Daggett,* _____ US _____, 103 S Ct 2653, 2659, *supra*). Furthermore, the Supreme Court in *Karcher* invalidated the congressional redistricting plan passed by the New Jersey Legislature because the precentage deviation in population between the largest district and the smallest district was greater than the deviation present in alternative plans that were submitted to the Legislature, not because the plan amounted to a partisan political gerrymander (but see *Karcher v Daggett,* _____ US _____, 103 S Ct 2653, 2667, *supra* [STEVENS, J., concurring]).

Thus, a court is powerless to review a challenge to a reapportionment plan on the ground that it amounts to a partisan political gerrymander. In any event, even if the claim were held to be justiciable, appellants have not submitted sufficient evidence of either a partisan intent, which was present in *Karcher (supra,* p 2677 [concurring opinion STEVENS, J.]; see, also, *Daggett v Kimmelman,* 535 F Supp 978, 982, 989-993), or that the Legislature had alternative plans before it that would provide for *both* more compact districts and greater population equality, as did the challengers to the redistricting plan in *Karcher (supra).*

Appellants' contention that Hamilton and Fulton Counties are required by section 5 of article III of the State Constitution to be in the same Assembly district is incorrect. While that provision still remains in section 5 of article III, it is part of the provision that stated that each county, regardless of population, was entitled to at least one Assembly district, which was invalidated by the Supreme Court in *WMCA, Inc. v Lomenzo* (377 US 633, *supra*). In *Matter of Orans* (15 NY2d 339, 351, *supra*), the Court of Appeals held that so much of section 5 of article III of the State Constitution as required that each county have at least one Assembly district was no longer of any force and effect. Since the provision concerning Hamilton County, which the Legislature, in the Constitution of 1894, deemed to be so sparsely populated that it should be joined with Fulton County in a single Assembly district, is part of a provision that has been invalidated by the United States Supreme Court, the fact that the redistricting plan places Hamilton and Fulton Counties in different Assembly districts does not render the law violative of the State Constitution.

For similar reasons, the claim that the New York City Council, not the Legislature, should have redrawn the districts in Kings County, is without merit. The Court of Appeals,

in *Matter of Orans (supra,* pp 351-352), held that the provision affording local legislatures in counties and cities entitled to more than one Assembly district the power to draw Assembly district lines was invalid by virtue of the Supreme Court decision in *WMCA, Inc. v Lomenzo,* (377 US 633, *supra*).

Finally, a claim identical to appellants' claim that numerous minor counties are divided contrary to constitutional mandate was rejected by the Court of Appeals in *Matter of Schneider v Rockefeller,* (31 NY2d 420, 427, *supra*), in light of the Federal constitutional requirement of equality of population. We reject the similar claim made in the case at bar, not only in light of equality of population standards, but also owing to the requirements of the Equal Protection Clause of the United States Constitution. These requirements must prevail over any inconsistent provision of the State Constitution by virtue of the Supremacy Clause of article VI of the United States Constitution (see *Flateau v Anderson, supra,* p 265; *Goines v Rockefeller,* 338 F Supp 1189, 1195).

TITONE, J.P., O'CONNOR, BOYERS and EIBER, JJ., concur.

BAY RIDGE COMMUNITY COUNCIL, INC., et al.,

Plaintiffs-Appellants,

v.

HUGH L. CAREY, et al.,

Defendant-Appellees.

In the Matter of the Petition of
BERNARD J. LeBLANC,

Petitioner-Appellant,

In the Matter of the Petition of
ROBERT P. WHELAN,

Petitioner-Appellant,

CLARENCE P. RAPPLEYEA

Intervenor-Appellant

APPEARANCES OF COUNSEL

C. Daniel Chill and *Kenneth Shapiro* for Stanley Fink and another, defendants. *Andrew L. Sichenze* and *Vincent L. Rosato* for plaintiffs. *Gibbons & Burke* for Bernard L. LeBlanc, petitioner. *Robert Abrams, Attorney-General (George D. Zuckerman* of counsel), for Hugh L. Carey and others, defendants. *John F. Haggerty* for Warren M. Anderson and another, defendants. *McHugh, Leonard & O'Connor* for Robert P. Whelan, petitioner.

OPINION OF THE COURT

GERALD ADLER, J.

There are three motions before this court. The first finds its way to the County of Kings by reason of an order of the Appellate Division of the Supreme Court of the State of New York held in and for the Third Department in Albany, New York, dated June 9, 1982, in which the court ordered that an action pending in the Supreme Court, Kings County, entitled Bay Ridge Community Council v Carey, and the proceeding pending in the Supreme Court, Schenectady County, entitled Matter of Le Blanc, be consolidated into one action and proceeding.

The second motion is of course the action entitled Bay Ridge Community Council v Carey, and the third motion is Matter of Whelan.

All of the petitioners and plaintiffs seek to review chapter 111 of the Laws of 1982 as amended, apportioning and districting the Senate and Assembly of the State of New York, contending that the aforesaid act as amended is unconstitutional and void as a matter of law and they seek an order enjoining the respondents and defendants from implementing said law apportioning and districting the Assembly districts in accordance with said law.

The motions were made returnable at Special Term, Part I, on Friday, June 18, 1982, and arguments were heard all afternoon until the close of court, and are consolidated herein into one special proceeding.

The respondents have made four separate cross motions seeking dismissal of the petitions pursuant to CPLR 3211 (subd [a], par 7) and/or summary judgment declaring chapter 111 of the Laws of 1982 to be constitutional and valid.

[1] The court must first determine if the challenges to the reapportionment plan are justiciable at this time. The respondent, New York State Attorney-General, contends that these proceedings are premature. He argues that Kings County is covered by the Voting Rights Act of 1965 so that any reapportionment plan affecting Kings County must be submitted to the Attorney General of the United States for approval. Until such approval is given, the plan does not become law. Since the Attorney General of the

United States has not yet approved or disapproved the reapportionment plan, respondent maintains there is no justiciable controversy. At the same time, the court has been informed, that there will be a decision on that matter *this very day*, Monday, June 21, 1982.

Both section 5 of article III of the New York State Constitution and section 1 of chapter 773 of the Laws of 1911 empower the Supreme Court to review "an apportionment by the legislature." It is simply *that*, which the court now has before it and which is subject to immediate judicial review. Indeed the New York State Constitution provides that *"any court before which a cause may be pending involving an apportionment, shall give precedence thereto over all other causes and proceedings"* (NY Const, art III, § 5; emphasis supplied). Moreover, petitioning for the coming primary elections is due to begin tomorrow, June 22, 1982. Both the voters and candidates are entitled to a determination as to whether or not the reapportionment plan, as enacted, is constitutional before the gathering of signatures on the petitions. Under all of these circumstances, the court concludes that the controversy before it is justiciable and not premature.

The court will now consider the specific objections to the reapportionment plan.

[2] Petitioners contend that the reapportionment plan violates the State Constitution's antigerrymander provisions requiring that legislative districts be "compact", "contiguous" and "convenient" (NY Const, art III, § 5).

The Bay Ridge Community Council are particularly incensed in respect to the boundary lines as enacted in the reapportionment of the 46th, 48th, 51st and 52nd Assembly districts. They point out that the area has in effect been divided and subdivided into various elongated and disfigured shapes and segments and they claim that the new lines as drawn, will have the effect of diffusing the political power of the community and the efficacy of the vote of its citizens. They claim that it requires no great genius to see that a better set of lines more respective of the common interests of the voters in the Bay Ridge area could have been drawn, and that the Assembly districts are neither

convenient, contiguous nor compact; that it represents partisan, racial gerrymandering and is otherwise an affront to fairness.

From a lay point of view, there is some degree of accuracy to the charges, as it pertains to the shape of the districts, however, this court must determine whether or not there have been violations of State constitutional requirements within the legal meaning of the terms which have been employed by the petitioners and as they have been interpreted by the New York courts.

The term "contiguous territory" has been defined by the Court of Appeals as "territory touching, adjoining and connected, as distinguished from territory separated by other territory." (*Matter of Sherrill v O'Brien*, 188 NY 185.)

The Court of Appeals stated (p 207): "In construing the language of the Constitution as in construing the language of a statute, the courts should look for the intention of the people and give to the language used its ordinary meaning. The ordinary and plain meaning of the words 'contiguous territory' is not territory near by, in the neighborhood or locality of, but territory touching, adjoining and connected, as *distinguished from territory separated by other territory*" (emphasis added).

In *Matter of Schneider v Rockefeller* (31 NY2d 420, 430), the Court of Appeals rejected a challenge on grounds of contiguity stating: "Petitioners cite us to numerous examples of allegedly noncontiguous districts, many of which are located on or near bodies of water. However, the requirement of contiguity is not necessarily violated because a part of a district is divided by water. (*Matter of Reynolds*, 202 N. Y. 430, 442-443; *Ince* v. *Rockefeller*, 290 F. Supp. 878.) *Moreover, in none of the cited examples is it necessary to travel through an adjoining district to keep within the boundaries of the challenged district*" (emphasis added).

The 46th Assembly District under challenge here is clearly within the parameters of the Court of Appeals holding. In fact unlike the districts in *Schneider* (*supra*), the 46th Assembly District herein is all in one county, and is not divided in whole or in part by water. Like *Schneider*,

it is not necessary to travel through an adjoining district to keep within the 46th Assembly District or for that matter the boundaries of any district in the instant plan. (See, also, *Matter of Reynolds*, 202 NY 430; *Matter of Orans*, 17 NY2d 107; *Ince v Rockefeller*, 290 F Supp 878, 883.)

For more than a half century, attempts to invalidate districting on the grounds of noncompactness have uniformly been rejected by the courts. In *Matter of Dowling* (219 NY 44), the Court of Appeals, although severely pressed by counsel to reject the plan on grounds of noncompactness, refused to declare the Senate districts violative of the constitutional requirement of compactness. The court stated (*supra*, at p 58): "It is also claimed that the constitutional provision in regard to compactness has been violated in the counties of New York, Kings and Westchester * * * *The constitutional provision does not provide unqualifiedly for compactness* [emphasis added]. Senatorial districts are not required to be in the form of geometric figures, as a square or perhaps a circle. Such a provision would be impractical and impossible to carry out. It is expressly provided that the districts shall be as *compact as practicable*. This permits of a consideration in good faith of existing lines, topography, means of transportation, etc."

In *Matter of Richardson* (307 NY 269), the Court of Appeals again rejected an attack on the compactness of districts.

In reviewing the issue of compactness, in addition to the *Dowling* interpretation as noted above, it is important to remember that the population of New York State is not spread across the State in neat geometric patterns but varies considerably in density even within metropolitan areas. This fact was recognized by Justice CONWAY in his opinion in the *Schneider* case when, after noting the odd shapes and sizes of the political subdivisions of the State and the problems involved in shifting populations, he stated (68 Misc 2d 869, 874): "This court must take judicial notice of the fact that New York State is one of the oddest shaped States in the United States. The court must also acknowledge the fact that the political subdivisions of the State, the counties, towns and cities, also have odd shapes and sizes caused by many and various factors such as coast

line, rivers, lakes and mountains. We have a State that defies a uniform physical subdivision. We also have a large population that is forever shifting due to industrial relocations, urban renewal, public housing projects, relocation of highways and the population expansion requiring the establishment of new residential developments in new areas. Therefore, the Legislature must deal with one of the most difficult 'jig-saw' puzzles in the world. Not only are there 210 Senate and Assembly districts or 'pieces' to the puzzle, but they change in size and shape after each census. It is the job of the Legislature to adjust the pieces every time the Federal Census figures become available and then try to put it together again. The Legislature must keep each Senate and Assembly 'piece' as nearly the same exact population as is possible and yet make it fit without creating any arbitrary adjustments that offend race, creed or national origin standards, nor violating the State Constitution any more than is required by the 'one man, one vote' Federal constitutional standard."

The Appellate Division in *Matter of Schneider* (38 AD2d 495, 499) stated: "While it is true that some districts result in oddly shaped designs, the requirement to meet population equality leads of necessity to such an end."

The Court of Appeals, in unanimously affirming, stated (31 NY2d 420, 429-430):

"The term 'compact', on the other hand, has no precise meaning within the context of the constitutional mandate. Moreover, the Constitution does not provide unqualifiedly for compactness. (*Matter of Sherrill* v. *O'Brien, supra.*) * * * Particularly where cities are concerned, the requirement of practical numerical equality may necessitate boundaries that are ragged at best. Moreover, it is manifest that our State, with its irregular boundaries, its islands, rivers, lakes and other geographical features is not susceptible of division into circular planes or squares. Thus, it might be said that the constitutional requirement of compactness is peripheral in its thrust, forbidding a complete departure, yet leaving to the determination and discretion of the Legislature the degree of compactness which is possible in the total representation picture.

"Similarly, numerous districts are challenged as being non-compact. But as we have noted, the requirement of compactness is a practical one and along with the overriding goal of population equality, numerous factors may legitimately be considered in devising a districting plan * * * *In sum, although we would agree that some of the challenged districts are, to say the least, irregular in form, none are so aggravated or outrageous as would warrant the conclusion that the Legislature has completely departed from the constitutional standard.*" (Emphasis added.)

In sustaining the constitutionality of New York's 1970 Congressional districting statute, the Federal court, in *Wells v Rockefeller* (311 F Supp 48, aff'd 398 US 901), stated (at p 53): "To meet the goal of mathematical equality in a State in which population density varies widely, the Legislature had to cope with boundary lines drawn to accomplish this result. Some recognition was undoubtedly given to the pattern laid out in antecedent plans. However, geometric nicety of design must give way to numerical equality. A series of perfect squares, rectangles or even triangles, each containing 409,324 persons, could not be placed upon a map of New York State so that 41 districts would fit congruously therein. Therefore, curious shapes were bound to result. But it is not for this Court to direct — even if we possessed the competence — the Legislature to straighten a line here, bend it there or include or exclude various towns in a manner differing from the plans as drawn."

The maps outlining the unaesthetic shapes sustained by the Court of Appeals in *Richardson* (*supra*), *Orans* (*supra*) and *Schneider* (*supra*), were attached as exhibits to the moving papers in support of the motion for dismissal and summary judgment.

The conclusion is inescapable that if those shapes were sustained then the districts involved herein are compact and contiguous as a matter of law.

In attempting to challenge the constitutionality of chapter 111 of the Laws of 1982 upon the ground of "partisan gerrymandering", petitioners have raised a "nonjusticiable issue" which courts consistently have refused to consider. (See, e.g., *WMCA, Inc. v Lomenzo*, 238 F Supp 916, 925-

926, affd 382 US 4 [see particularly concurring opn of Mr. Justice HARLAN, 382 US, at p 6]; *Cousins v City Council of City of Chicago*, 466 F2d 830, 847; *Wells v Rockefeller, supra; Sincock v Gately*, 262 F Supp 739, 831-833; *Meeks v Avery*, 251 F Supp 245, 250-251; *Kilgarlin v Martin*, 252 F Supp 404, 432; *Bush v Martin*, 251 F Supp 484, 513; *Stout v Bottorff*, 246 F Supp 825, 829; *Sims v Baggett*, 247 F Supp 96; *Jones v Falcey*, 48 NJ 25; *Koziol v Burkhardt*, 51 NJ 412.)

The nonjusticiability of partisan gerrymandering disputes is not inconsistent with *Baker v Carr* (369 US 186). On the contrary, the Supreme Court in speaking of a test for defining a nonjusticiable political question in *Baker v Carr*, stated (*supra*, p 217): "Prominent on the surface of any case held to involve a political question is found * * * a lack of judicially discoverable and manageable standards for resolving it; or the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion".

These criteria of nonjusticiability clearly apply to questions as to partisan gerrymandering. Any attempt by the courts to review the shape of legislative districts with a view towards determining claims of partisan gerrymandering would require them to enter a hopeless morass, in which they would be required to weigh map changes, shifting population densities, topographical barriers, competing political, social and economic considerations relevant to various political subdivisions and communities, and the interrelationship of all these factors with respect to neighboring districts. Whereas apportionment cases lend themselves to a determination by a ready application of available arithmetic statistics, districting cases would require political value judgments that by their nature should be confined to the legislative process.

Moreover, since voters can change their minds, unlike their race, there is not even a readily isolated segment of any political minority to simplify the determination and application of proper districting standards. Thus, unlike *Gomillion v Lightfoot* (364 US 339), which involved blatant racial discrimination in violation of the 15th Amendment, there is no basis for lifting alleged partisan gerrymander-

ing controversies out of the political arena and into the conventional sphere of constitutional litigation.

The immense difficulties inherent in any judicial effort to resolve claims of partisan gerrymandering was well described by the Supreme Court of New Jersey in *Koziol v Burkhardt* (51 NJ 412, *supra*), where, quoting from its earlier opinion in *Jones v Falcey* (48 NJ 25, 32-33, *supra*) the court stated: "The trial court described such issues as non-justiciable. Perhaps it would be more accurate to say such issues are beyond judicial condemnation, not because the controversy is beyond the jurisdictional authority of the Court, but rather because the Constitution does not prescribe a single approach or motivation for the drawing of district lines, and hence the Constitution is not offended merely because a partisan advantage is in view. Indeed, it would be difficult to separate partisan interests from other interests, since partisan interests may well be but a summation of such other interests. In addition it would seem impossible for a court to pass upon the validity of political interests without itself making a political judgment or appearing to do so. For these reasons the view generally taken in this new area of judicial activity is that, if the mathematics are acceptable, it rests with the voters, rather than the Court, to review the soundness of the partisan decisions which may inhere in the lines the Legislature drew."

These same difficulties were recognized by Circuit Judge MOORE when speaking for a unanimous court in *Holtzman v Rockefeller* (214 F Supp 897, aff'd 376 US 222), he stated (p 900): "It is impossible for us to speculate, and indeed it is not our function to do so, on why a district line turns to the right at one street and left at another. There are a myriad of possible variations in the drawing of such lines."

In *Matter of Schneider* (31 NY2d 420, 429, *supra*), the identical issue was raised. Petitioners urged "that chapter 11, in effect, dilutes the voting strength of a political element of the population and, thus, violates the Equal Protection Clause".

The Court of Appeals rejected this attack stating, in language appropos here (31 NY2d, at p 431): "Turning next

to petitioners' equal protection challenge, we conclude that the gerrymandering of special interest groups — racial, social, economic or ideological — is too sensitive and significant an issue to be decided on this record with its bare allegation that 'Chapter 11 * * * constitutes an attempt to maximize the strength of one of the two major political parties by means of a gerrymander'. Even if we were to assume the justiciability of a gerrymander of a political interest group in the single-member district context, this record does not demonstrate the invidious effects of the alleged gerrymander nor does it address the more basic threshold questions such as the necessary size and degree of common interests a group would have to possess before it would be entitled to protection."

Even assuming, *arguendo*, that a claim of "partisan gerrymandering" presented a justiciable issue, petitioners have failed to sustain their burden of proof on this issue. (*Wells v Rockefeller*, 311 F Supp 48, affd 398 US 901, *supra*; *Fortson v Dorsey*, 379 US 433; *Wright v Rockefeller*, 211 F Supp 460, affd 376 US 52, reh den 376 US 959; *Honeywood v Rockefeller*, *supra*.) Petitioner Le Blanc merely avers in his petition that "Upon information and belief the assembly districting plan * * * has been designed to maximize the political power of a particular party", without offering anything to support such a contention.

Petitioner's reliance on the dicta in the Supreme Court opinion in *Fortson v Dorsey* (*supra*) gives no support to his cause since that opinion dealt only with a multimember apportionment scheme and has no relevance to the single-member districting plan involved in the instant case.

In *Gaffney v Cummings* (412 US 735) the court held that maintaining the existing political balance may be included as a factor by the Legislature.

Petitioner Le Blanc seemingly claims that the plan herein commits a racial gerrymander. Aside from a passing conclusory reference to the possibility of three black districts in Queens, petitioner adduces no proof to sustain his charge.

The United States Supreme Court in considering the question of racial discrimination in 14th and 15th Amendment cases requires a finding of discriminatory purpose, as

opposed to mere discriminatory effects before a districting plan will be invalidated. The development of the intent requirement has basically reflected trends in equal protection analysis in general. (See, e.g., *Arlington Hgts. v Metropolitan Housing Corp.*, 429 US 252; *Washington v Davis*, 426 US 229.)

Petitioner, who is not a member of a minority group, does not live in Queens County (he lives in Town of Long Lake, Hamilton County), is not aggrieved by either a 14th or 15th Amendment claim and therefore has no standing to sue on the question of race gerrymander. The United States Supreme Court definitively settled this question in *Warth v Seldin* (422 US 490, 500).

The United States Supreme Court has declared in the landmark case of *Reynolds v Sims* (377 US 533, 579) that in reviewing any apportionment statute, "the overriding objective must be substantial equality of population among the various districts, so that the vote of any citizen is approximately equal in weight to that of any other citizen in the State." (See, also, *WMCA, Inc. v Lomenzo*, 377 US 633, 653, *supra.*)

It is significant that while the petitioners seek to challenge the constitutionality of chapter 111 on numerous grounds they do not contest the prime fact that chapter 111 has complied with the overriding principle of "one person, one vote".

Le Blanc argues however that the statute "unnecessarily divides" counties in the formation of Senate and Assembly districts in violation of sections 4 and 5 of article III of the New York State Constitution.

The formulas provided in sections 4 and 5 of article III of the New York Constitution, insofar as they included "a built-in bias against voters living in the State's more populous counties" were held invalid in *WMCA, Inc. v Lomenzo* (*supra*, p 654). In *Matter of Orans* (15 NY2d 339), the court held that while the constitutional formulas providing for the distribution to underpopulated counties of a large number of Assembly seats without regard to population, plus use of different ratios for Senate seats were invalid, the remaining apportionment provisions of article

III remain viable unless it could be shown that they conflict with the basic principle of "one man, one vote".

The court further recognized that (15 NY2d, at p 351): "The districting outlawed by the United States Supreme Court as well as all former districtings of this State use the county as the basic unit into which both Assembly and Senate districts are molded but it is patent that under the new rules *the integrity of all the counties in these respects cannot be complete*. This means not only that *it will be impossible to give each county at least one full Assembly district but also that the boundaries of districts cannot in all instances be co-terminal with county borders.*" (Emphasis added.)

It therefore appears that whatever minor counties were cut, was compelled by one-man, one-vote requirements.

Finally, it should be noted that section 4 of article III of the State Constitution, dealing with the establishment of Senate districts, states that: "no county shall be divided in the formation of a *senate* district" (emphasis added).

No comparable provision exists in section 5 of article III which deals with the creation of *Assembly* districts. The conclusion is inescapable, that with respect to Assembly districts there is no county line requirement as there is in the creation of Senate districts.

Petitioner Le Blanc contends that chapter 111 unconstitutionally violates section 5 of article III by separating Hamilton and Fulton Counties into separate Assembly districts. Petitioner's challenge has no more merit after *Reynolds v Sims* (*supra*) than all of the other provisions in section 5 of article III, which *Orans* (*supra*) and *Schneider* (*supra*) held to be subordinate to the dictates of population equality.

It is well settled that a constitutional provision must be construed with reference to the law existing at the time of its enactment. (*New York Public Interest Research Group v Steingut*, 40 NY2d 250, 258; *Byrn v New York City Health & Hosps. Corp.*, 38 AD2d 316, 330, affd 31 NY2d 194.) When this particular provision was enacted in 1894, of course, the 14th Amendment imposed no limits on legislative reapportionment.

It is clear that the Fulton-Hamilton provision in section 5 of article III of the New York Constitution was added in the 1894 Constitution was part and parcel of the requirement that each county no matter how small shall have at least one Assembly member. However, the framers of the 1894 Constitution recognized that at that time, the population of Hamilton County based on the 1890 census was only 4,762 — the smallest population of any county in the State of New York. The population of Hamilton County was obviously too small for even the 1894 Constitution to permit having its own Assembly member. Thus, the County of Hamilton was linked to Fulton County to create a more sizeable Assembly district.

However, following the decision of the United States Supreme Court in *WMCA, Inc. v Lomenzo* (377 US 633, *supra*) invalidating New York State's constitutional scheme for the apportionment of Assembly and Senate districts insofar as they violate the equal protection requirements of the 14th Amendment, the New York Court of Appeals in *Matter of Orans* (15 NY2d 339, 351, *supra*) recognized that the provision in section 5 of article III requiring each county to have at least one Assembly member was invalid. With the voiding of the one-county one-Assemblyman State constitutional requirement, the provision linking Fulton and Hamilton Counties in the Assembly has no purpose and must necessarily fall.

[1] It must be recognized that a judicial review of a New York reapportionment statute is not a contest to select the "best" reapportionment that can be submitted by any citizen of the State, but is limited to the sole question as to whether the statute before the court passes constitutional muster. As such, judicial inquiry "must proceed with proper regard for the settled rule that a presumption of constitutionality attaches to every statute enacted by the Legislature and * * * 'that a statute can be declared unconstitutional only when it can be shown beyond reasonable doubt that it conflicts with the fundamental law, and that until every reasonable mode of reconciliation of the statute with the Constitution has been resorted to, and reconciliation has been found impossible, the statute will be upheld.'" (*Matter of Fay*, 291 NY 198, 206-207; *People*

ex rel. Henderson v Board of Supervisors, 147 NY 1, 15-16.) Other courts have similarly rejected attempts by litigants to submit private plans that were asserted to be superior to the statutes before the court. See *Sincock v Roman* (233 F Supp 615, 619), where a Federal three-Judge court observed: "It is not our duty to determine whether a plan can be worked out that is superior in apportionment to that set up by S.B. 332 and S.B. 336. Our duty is to determine whether the plan set up by the General Assembly conforms to the requirements of the Constitution of the United States." (See, also, *Wells v Rockefeller*, 311 F Supp 48, affd 398 US 901, *supra; Bush v Martin*, 251 F Supp 484, 513, *supra*.)

This court is of the opinion that chapter 111 of the Laws of 1982 as amended, apportioning and distributing the Senate and Assembly of the State of New York is in accord with all of the subsisting provisions of article III of the New York State Constitution and therefore dismisses all of the proceedings, the petitions and the complaints, and grants summary judgment declaring and acknowledging that chapter 111 of the Laws of 1982 is a valid and constitutional apportionment statute.

The motion for discovery by petitioner Le Blanc is denied.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN FLATEAU, ROBERT V. CONNELLY, AUDREY BYNOE and ANGEL A. RODRIGUEZ, and all persons similarly situated,

Plaintiffs,

82 Civ. 876

—and—

STANLEY FINK, both individually and as Speaker of the Assembly of the State of New York,

Plaintiff,

—and—

PUERTO RICAN LEGAL DEFENSE AND EDUCATION FUND, INC., et al.,

OPINION

Plaintiff-Intervenor,

—and—

MANFRED OHRENSTEIN,

Plaintiff-Intervenor,

—against—

WARREN M. ANDERSON, both individually and as Temporary President and Majority Leader of the New York State Senate; JAY P. ROLISON, JR., both individually and as Co-chairman of the Legislative Task Force on Reapportionment; THE SENATE OF THE STATE OF NEW YORK; MELVIN MILLER, both individ-

ually and as Co-chairman of the Legislative Task Force on Reapportionment; THE ASSEMBLY OF THE STATE OF NEW YORK; HUGH L. CAREY, both individually and as the Governor of the State of New York; MARIO M. CUOMO, both individually and as Lieutenant Governor of the State of New York and as Presiding Officer and President of the Senate of the State of New York; THE LEGISLATIVE ADVISORY TASK FORCE and THE BOARD OF ELECTIONS OF THE STATE OF NEW YORK,

Defendants,

—and—

JAMES L. EMERY,

Defendant-Intervenor.

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United States Department of Justice
Civil Rights Unit
United States Attorney's Office, S.D.N.Y.
As amicus curiae
By: William J. Hibsher, Esq.

Before: Honorable Lawrence W. Pierce,
Circuit Judge
Honorable Robert J. Ward, District Judge
Honorable Vincent L. Broderick,
District Judge.

Per Curiam

I.

This lawsuit challenges the constitutionality of the present apportionment scheme of the New York State Senate, Assembly and congressional districts. Plaintiffs are four New York State voters, the Speaker of the State Assembly, the Minority Leader of the State Senate, and the Puerto Rican Legal Defense and Education Fund, Inc. Defendants are the Majority Leader of the State Senate, the Senate itself, the Minority Leader of the State Assembly, the Assembly, the Governor, the Lieutenant Governor, the State Board of Elections, and the

Legislative Advisory Task Force on Reapportionment and its two co-chairmen.[1]

The complaint was filed on February 10, 1982. Pursuant to 28 U.S.C. §2284, a three-judge court was convened. The court heard argument on various motions, including motions for summary judgment, on March 26, 1982.

All plaintiffs essentially argue that based on the 1980 New York decennial census data, which show a shift and decrease in total population, the existing apportionment schemes for New York's legislative and congressional districts, drawn pursuant to the 1970 census, violate, respectively, the "one-person, one-vote" principle enunciated under the Equal Protection Clause, *Reynolds v. Sims*, 377 U.S. 533 (1964), and Article 1, §2 of the United States Constitution. Some plaintiffs also urge that due to an increase in minority population the existing apportionment scheme for the state legislative violates the Fifteenth Amendment to the United States Constitution and the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973, *et seq.* (1981). All the plaintiffs urge that the present apportionment schemes be declared unconstitutional.

All but one plaintiff request the court to order New York State to enact a constitutional plan of reapportionment by April 16, 1982 and failing that, request that this court devise a reapportionment plan. The Puerto Rican Legal Defense and Education Fund, Inc. requests that the court itself immediately redistrict the State

Certain of the defendants (the State Senate, Warren M. Anderson individually and as Majority Leader of the Senate, and Jay P. Rolison, Jr. individually and as co-chairman of the

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[1] The original plaintiffs were voters John Flateau, Robert V. Connelly, Audrey Bynoe and Angel A. Rodriguez. Stanley Fink, Speaker of the Assembly, was originally named as a defendant; with the consent of all parties he was realigned as a plaintiff. The Puerto Rican Legal Defense and Education Fund, Inc. and Manfred Ohrenstein, the Minority Leader of the State Senate, were permitted to intervene as plaintiffs. James L. Emery, Minority Leader of the State Assembly, was permitted to intervene as defendant.

Legislative Advisory Task Force on Reapportionment) agree that a reapportionment plan must be enacted now with respect to New York's congressional districts but dispute the need to reapportion immediately with respect to the state legislative districts. They argue that Article 3, §4 of the New York State constitution allows up to six years for the creation of a reapportionment plan for State Senate and Assembly districts.[2]

Governor Carey, another defendant, agrees with plaintiffs that the state should be required to prepare redistricting plans for congressional, Senate and Assembly districts by a date to be fixed by the court, but cautions against any finding of unconstitutionality which would affect either the power of the legislature to act as presently constituted, or the propriety of filling existing legislative vacancies by special elections prior to redistricting. All defendants urge that there should be no finding that the present district lines violate either the Voting Rights Act of 1965 or the Fifteenth Amendment.

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[2] The relevant part of Article 3, §4, of the State constitution provides:

> Except as herein otherwise provided, the federal census taken in the year nineteen hundred thirty and each federal census taken decennially thereafter shall be controlling as to the number of inhabitants in the state or any part thereof for the purposes of the apportionment of members of assembly and readjustment or alteration of senate and assembly districts next occurring, in so far as such census and the tabulation thereof purport to give the information necessary therefor. . . . At the regular session in the year nineteen hundred thirty-two, and at the first regular session after the year nineteen hundred forty and after each tenth year therefrom the senate districts shall be readjusted or altered, but if, in any decade, counting from and including that which begins with the year nineteen hundred thirty-one, such a readjustment or alteration is not made at the time above prescribed, it shall be made at a subsequent session occurring not later than the sixth year of such decade, meaning not later than nineteen hundred thirty-six, nineteen hundred forty-six, nineteen hundred fifty-six, and so on; provided, however, that if such districts shall have been readjusted or altered by law in either of the years nineteen hundred thirty or nineteen hundred thirty-one, they shall remain unaltered until the first regular session after the year nineteen hundred forty.

At the conclusion of the arguments on March 26, 1982, we disposed of the pending motions for summary judgment by issuing an order 1) which held that the present New York congressional, Senate and Assembly districts may not, consistent with the Equal Protection Clause of the Fourteenth Amendment and Article I, §2 of the Constitution, be employed to conduct any elections for terms commencing on or after January 1, 1983; 2) which directed New York State to devise and enact a constitutional reapportionment plan for Senate, Assembly and congressional districts by April 16, 1982; 3) which specified that special elections intended to fill vacancies in the present state legislature were not affected by the order; and 4) which retained jurisdiction in this court pending final resolution of all issues raised in this action. This opinion sets forth the bases upon which that order was issued.

II.

There is no dispute with respect to the following:[3]

In 1972, the New York State Legislature with the approval of the Governor enacted congressional and State Senate and Assembly reapportionment and redistricting plans for the 1972 statewide primary and general elections.[4]

On January 10, 1974 the United States District Court for the District of Columbia entered an order subjecting the counties of Kings, New York and Bronx to the provisions of the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973, *et seq.*, thus requiring compliance, as to those counties, with the pre-

[3] The parties executed and filed a stipulation from which the statement of facts in this opinion is derived.

[4] The Assembly and Senate are the legislative bodies of the State of New York. The Assembly presently consists of 147 duly elected members, with 3 vacancies, from 150 districts throughout New York State; the Senate consists of 58 duly elected members, with 2 vacancies, from 60 districts throughout New York State. The Senate and Assembly are required by Article 3, §4 of the New York State constitution to act as co-equal participants in altering and adjusting congressional, Senate and Assembly district lines after each federal decennial census.

clearance requirements of Section 5, 42 U.S.C. §1973c.[5] To effect such compliance, New York State in 1974 amended the 1972 reapportionment and redistricting plans by altering 16 out of 150 Assembly districts, 8 out of 60 Senate districts, and 4 out of 39 congressional districts. 1974 New York Laws, c. 588, c. 589.

Since 1974 no new reapportionment or redistricting has taken place.

On December 31, 1980 the United States Census Bureau officially certified to the President of the United States the total population of New York State as 17,557,288. As a result of the decrease in New York's population as evidenced by the census, New York State has lost 5 congressional seats, from 39 to 34. The population mean of each congressional district will be 516,391 persons.[6] Based on a presently existing State Senate of

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[5] Section 5, 42 U.S.C. §1973c, deals with, *inter alia*, the alteration of voting qualifications and procedures. Section 5 provides in pertinent part:

> [W]henever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the first sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1972, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure . . .

[6] If New York's 1980 census population of 17,557,288 were distributed among the 39 existing congressional seats, the population mean would be 450,187 and not 516,391.

60 members, the population mean of each senatorial district under the 1980 census will be 292,621 persons. The population mean of each of the 150 Assembly districts will be 117,048 persons.

Based on the above figures, the maximum positive and negative percentage deviations from the population means for the State Senate and Assembly districts as presently constituted are as follows:[7]

District	Percentage Deviation from Population Mean	Maximum Percentage Deviation
Senate #1	48.91	
Senate #32	–35.84	84.75
Assembly #1	51.91	
Assembly #79	–57.09	109.00

It has been conceded that if a legislative reapportionment plan for the State Assembly and Senate were enacted today which contained such deviations from the population means, it would violate the Equal Protection Clause of the Fourteenth Amendment.[8] *See* Stipulation 15 of Stipulation of Facts.

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[7] An accepted measure in considering the constitutionality of apportionment plans is that of maximum percentage deviation from the population mean. Such a formula for determining the constitutionality of apportionment plans was approved by the Supreme Court in *Abate* v. *Mundt*, 403 U.S. 182 (1971). The maximum percentage deviation is determined by adding the percentage deviation above the population mean of the district with the greatest number of voters to the percentage deviation below the population mean of the district with the fewest number of voters. This formula can presently be applied with respect to the State Senate and Assembly districts, since the 1980 census figures will be applied to the same number of districts. It does not lend itself to the congressional district situation, since there has been a change (from 39 to 34) in the number of districts.

[8] The census figures show substantial increases in the population of racial minorities in the State of New York, particularly in Bronx and Kings Counties. We have not deemed it necessary to this point, in deciding the issues before us, to consider dilution problems. We assume that in developing appropriate reapportionment plans New York State will give consideration to such matters.

The New York State Legislature has been convened in regular session since January 6, 1982, and has not passed a new apportionment plan based on the 1980 decennial census.[9]

The following is a partial calendar of significant dates in the New York State 1982 electoral process:

State Committee meetings to designate statewide candidates	June 15-22
First day to sign designating petitions for primary election	June 22
Dates for filing designating petitions	July 26-29
Primary Election	September 14
General Election	November 2

Any redistricting plan enacted by New York State reapportioning New York congressional, Senate and Assembly districts will have to be enacted pursuant to the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973, *et seq.* and precleared pursuant to Section 5 of the Act, 42 U.S.C. §1973c.[10]

There are no genuine issues of material fact with respect to the foregoing. We turn, therefore, to the issues of law.

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[9] Both houses of the legislature have released separate proposed reapportionment plans for the State Senate and State Assembly districts and the Senate has passed Bill #8534 for statewide congressional redistricting.

[10] Because Bronx, New York, and Kings Counties fall under §5 of the Voting Rights Act, before any reapportionment plan enacted by the legislature and signed by the Governor may be implemented, it must be submitted to the United States Attorney General for preclearance, or else a declaratory judgment approving the plan must be obtained from the United States District Court for the District of Columbia. 42 U.S.C. §1973c. *United Jewish Organizations of Williamsburgh, Inc.* v. *Carey*, 430 U.S. 144, 157 (1977). If the plan is submitted to the Attorney General (the usual method used by covered jurisdictions), he has 60 days to file an objection or to request additional information. If no objections or requests for information are made within 60 days the plan becomes law. If an objection or request is made, the sixty day period commences again when a satisfactory response is received. *Georgia* v. *United States*, 411 U.S. 526, 539 (1973); 28 C.F.R. §51.3(b)-(d). Thus a plan does not necessarily become law after the 60 days elapse.

III.

We consider preliminarily whether the issues presented in this action are ripe for judicial intervention. Is there a case or controversy? While plaintiffs attack New York State's failure to reapportion in the wake of the 1980 decennial census, the state legislature is in session and presumably will remain in session, and it still has time to act.

All state parties, whether aligned as plaintiffs or defendants, recognize their constitutional and statutory obligation to reapportion New York's congressional districts, and this court's direction with respect to those districts was consented to by defendants.

As to State Senate and Assembly districts, some of the defendants forcefully maintain that the state is not constitutionally required to effect reapportionment this year. Of course, the concurrence of these defendants — the State Senate itself and the Majority Leader of the Senate — is necessary for enactment of any reapportionment plan. Absent intervention by this court, New York will not reapportion its Senate and Assembly districts this year unless there is a speedy change of position by these defendants. While there has been no final failure to reapportion to date, the inevitability of such failure if this court does not direct reapportionment has persuaded us that the matter is ripe for adjudication. Since New York State still has time to act, no constitutional violation has yet occurred. It is nevertheless entirely appropriate for us to conclude, as we have, that unless we direct that reapportionment of State Senate and Assembly districts take place this year it will not take place, and that such a failure would be constitutionally unacceptable. If we waited until there no longer was time in 1982 for the reapportionment to be effected, the constitutional violation would then have occurred, but it would be too late for any timely remedy to be structured. *Cf. Watson* v. *Commissioners Court of Harrison County,* 616 F.2d 105, 107 (5th Cir. 1980).

IV.

The present New York statute with respect to congressional redistricting (Laws of 1972, Chs. 76, 77 and 78 as amended by Ch. 589 of the Laws of 1974), which provides for 39 congressional districts, cannot serve as the basis for the 1982 election of 34 representatives. An election held under the present congressional districting plan would therefore violate Article I, §2 of the United States Constitution.[11]

All parties have agreed that a new apportionment plan must be enacted for the 1982 congressional election.

V.

Plaintiffs urge that immediate reapportionment of New York's Senate and Assembly districts, based on the data derived from the 1980 decennial census, is constitutionally compelled. Certain of the defendants[12] maintain that since there are in place carefully structured New York constitutional

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[11] Article 1, §2, Clause 3 provides:

> Apportionment of representatives and taxes
>
> Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall be Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

[12] The Senate, the Senate Majority Leader, and the co-chairman of the Legislative Advisory Task Force on Reapportionment.

provisions with respect to reapportionment, New York need not reapportion its Senate and Assembly districts this year so long as it does reapportion in due course in accordance with the state constitutional provisions. These provisions would permit New York to delay Senate and Assembly reapportionment until 1986.

The New York constitution does set rigorous requirements with respect to apportionment. N.Y. Const. Art. 3, §§4 and 5. Apportionment by the legislature is subject to review by the New York courts. It is also, as a practical matter, subject to preclearance by the Attorney General of the United States or the District Court of the District of Columbia pursuant to 42 U.S.C. §1973c. *See* fn. 10, *supra.*

Thus these defendants present squarely to this court the issue of whether state legislative elections may be held where the legislative districts are concededly malapportioned, if the state concerned has a constitutional provision which in time will require a correction of the malapportionment. The specific question in terms of New York State is whether it would be constitutionally permissible, in the face of existing maximum percentage deviations from the mean of 84.75% for the Senate and 109% for the Assembly, to hold elections this year (and perhaps also in 1983, 1984, and 1985) on the basis of district lines which were last drawn in 1972 based on 1970 census data.

One of the fundamental Constitutional rights underlying the American system of representative government is the right of a citizen to participate in an election on an equal basis with every other citizen. *Dunn* v. *Blumstein,* 405 U.S. 330, 336 (1972); *Seamon* v. *Upham,* Civ. No. P-81-49-CA (E.D. Tex. Feb. 27, 1982) (Justice, J., concurring and dissenting). Any alleged infringement of the right to vote requires close scrutiny:

> Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.

Reynolds v. *Sims, supra,* 377 U.S. at 562.

The guiding constitutional principle, with respect to state legislative apportionment plans, is that "the seats in both houses of a bicameral state legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for state legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the State." *Id.* at 568. A reapportionment plan must contain "substantial equality of population among the various districts, so that the vote of any citizen is approximately equal in weight to that of any other citizen in the State." *Id* at 579.

"Substantial equality" does not mean that each district must have an "identical number of residents, or citizens, or voters" because "[m]athematical exactness or precision is hardly a workable constitutional requirement." *Id.* at 577. Districts must, however, be "as nearly of equal population as is practicable." *Id. See also Gaffney* v. *Cummings,* 412 U.S. 735, 743-44 (1973).

Deviations from population equality of under ten percent have been held to be "minor" with respect to state legislative districts, and they do not constitute *per se* violations of equal protection. *Gaffney v. Cummings, supra; Marshall* v. *Edwards,* 582 F.2d 927, 934 (5th Cir. 1978), *cert. denied,* 101 S.Ct. 3080 (1981). Deviations which are more than "minor" must be based on "legitimate considerations incident to the effectuation of a rational state policy" to be constitutionally permissible. *Reynolds* v. *Sims, supra,* 377 U.S. at 579. *See also Mahan* v. *Howell,* 410 U.S. 315, 325 (1973).[13]

In *Mahan, supra,* the policy of maintaining the integrity of political subdivision lines was held to justify a maximum

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[13] Congressional reapportionment is subject to a more stringent constitutional standard than state legislative reapportionment. *Gaffney* v. *Cummings, supra,* 412 U.S. at 741-42; *Mahan* v. *Howell, supra,* 410 U.S. at 322. Therefore, greater population deviations are permitted when a state reapportions its state legislature than when it reapportions its congressional districts. *Gaffney* v. *Cummings, supra; Mahan* v. *Howell, supra.*

percentage deviation from the population mean of 16.4%. 410 U.S. at 329.[14] The same policy was held to justify a maximum deviation of 11.9% in *Abate* v. *Mundt*, 403 U.S. 182, 185 (1971).

Reynolds v. *Sims, supra*, suggests a toleration of otherwise unjustifiable malapportionment if the state can demonstrate that it has adopted, and is in compliance with, "a reasonably conceived plan for periodic readjustment of legislative representation." 377 U.S. at 583. The mere fact that there is significant malapportionment at any given time does not necessarily give rise to a constitutional violation if the state shows that it has enacted a plan pursuant to "a rational approach to readjustment of legislative representation in order to take into account population shifts and growths." *Id.*

However, despite some tolerance for deviations in cases where a "rational state policy" will otherwise be furthered, some deviations are so substantial that no state interests or policy can justify them. *Gaffney* v. *Cummings, supra*, 412 U.S. at 744.[15] If present New York Senate and Assembly district lines were used, the maximum percentage deviations would be 84.75% and 109%, respectively. Deviations of such a magnitude, if presently enacted, would constitute *per se* violations of the equal protection principle of "one person, one vote."

Defendants argue that Article 3, §4 of New York State's constitution evidences a "reasonably conceived plan for periodic readjustment of legislative representation." This provision mandates reapportionment to be made each decade, at some time prior to the conclusion of the sixth year of the decade. Since it is only 1982, defendants insist that there will be a constitutional violation only if a Senate and Assembly reapportionment plan has not been enacted prior to December 31, 1986.

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[14] The average percentage deviation in *Mahan* was +/— 3.89%. Out of 52 districts, 35% were within 4% of the ideal and 9 exceeded a 6% variation from the ideal. 410 U.S. at 319.

[15] *See also Swann* v. *Adams*, 385 U.S. 440 (1967) (a 25.65% deviation held invalid); *Kilgarlin* v. *Hill*, 386 U.S. 120, 122-123 (1967) (a 26.48% deviation viewed with suspicion but not ruled on).

The issue, then, becomes whether the state constitution provides "a rational approach to readjustment of legislative representation in order to take into account population shifts and growths." *Reynolds* v. *Sims, supra,* 377 U.S. at 583.

The *Reynolds* Court held that "if reapportionment were accomplished [pursuant to a state reapportionment provision] with less [than decennial] frequency, it would assuredly be constitutionally suspect." *Id.* at 584. Since the last reapportionment in New York occurred in 1972,[16] a failure to reapportion the current districting lines for the state legislature with respect to terms commencing on or after January 1, 1983 would render New York's present apportionment scheme more than ten years old and hence "constitutionally suspect."[17] To determine whether this scheme would be "constitutionally infirm" as well, we must balance the state's interest in delaying reapportionment until after the 1982 general elections against the interests of the thousands of New York voters whose voting strength in the 1982 general election stands to be diluted, relative to the voting strength of citizens living in other parts of New York State, if such a delay in reapportionment occurs. In assessing the interests of the voters we must consider the extent of the dilution.

The state certainly has interests in sovereignty and self-government and "the need for stability and continuity in the organization of the legislative system." *Reynolds* v. *Sims, supra,* 377 U.S. at 583. Apportionment is a political and legislative process with respect to which judicial caution is indicated. Defendants have, however, presented no strong or convincing

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[16] *See* p. 7, *supra.* The legislative reapportionment predicated on the 1970 census was enacted in 1972. The 1974 amendments, necessitated by the application of the Voting Rights Act, affected only 8 Senate districts, 16 Assembly districts, and 4 congressional districts.

[17] Indeed, by allowing up to six years from the date of the last decennial census, Article 3, §4, of the New York State constitution affords the possibility that the interval between apportionment could be as great as fourteen years, *i.e.*, reapportionment, having last occurred in 1972, might be accomplished as late as December 1986 based on the 1980 census.

reasons why reapportionment should not be accomplished in time for the 1982 general elections. They do not assert that immediate reapportionment is impossible. They, instead, rely on tradition. They argue that reapportionment ought not be accomplished this year because "[t]he tradition of New York State has been that reapportionment had [sic] not occurred until after the first election in the decade and until the third year of the decade." Transcript of Argument, March 26, 1982, at 45.

We will assume that this "tradition" of third-year reapportionment in fact exists in New York State, although we note that it was not observed in the 1960's or the 1970's.[18] Such a tradition is of significance to our present analysis only if it is an expression of significant state interests or concerns. Defendants have, however, failed to suggest any reason for the advent of this tradition; more importantly, they have advanced no argument, other than the fact of its existence, for its continued observance. Under these circumstances, we decline to accord New York State's tradition of third-year reapportionment significant weight in striking the balance of interests described above.

The significance of the voters' interest in any given reapportionment case is primarily a function of the relative severity of the malapportionment. In New York we are faced with deviations as much as five times greater than the largest deviations that the Supreme Court has found to pass constitutional muster in newly enacted apportionment plans. Given these variations, and defendants' failure to present any compelling justification for delay, we conclude that the Equal Protection Clause of the Fourteenth Amendment, in conjunction with the Supremacy Clause of Article 6 of the United States Constitution, mandates immediate reapportionment. *Reynolds* v. *Sims, supra,* 377 U.S. at 583-584; *Goines* v.

[18] New York enacted a reapportionment plan based on the 1970 census in 1972. It did not enact a reapportionment plan based on the 1960 census until 1964, and did so at that time only after having been ordered to reapportion by the United States Supreme Court. *See WMCA, Inc.* v. *Lomenzo,* 377 U.S. 633 (1964).

Rockefeller, 338 F.Supp. 1189, 1195 (S.D. W.Va. 1972); *Bennett* v. *Elliott,* 294 F. Supp. 808, 810 (M.D. Tenn. 1968).[19]

VI.

The United States Supreme Court has enunciated on numerous occasions that "legislative reapportionment is primarily a matter for legislative consideration and determination." *Reynolds* v. *Sims, supra,* 377 U.S. at 586; *Maryland Committee for Fair Representation* v. *Tawes,* 377 U.S. 656, 676 (1964); *Chapman* v. *Meier,* 420 U.S. 1, 27 (1975); *Connor* v. *Finch,* 431 U.S. 407, 414 (1977). Reapportionment is a "legislative task which the federal courts should make every effort not to preempt." *Wise* v. *Lipscomb,* 437 U.S. 535, 539 (1978), citing to *Connor* v. *Finch, supra,* 431 U.S. 407, 414-415. *See also Seamon* v. *Upham, supra* at 6. Therefore, when the court declares an existing apportionment plan unconstitutional, it is "appropriate, whenever practicable, to afford a reasonable opportunity for the legislature to meet constitutional requirements by adopting a substitute measure rather than for the federal court to devise and order into effect its own plan." *Wise* v. *Lipscomb, supra,* 437 U.S. at 540. *See also Connor* v. *Finch, supra,* 431 U.S. at 414-415.

We believe that the April 16, 1982 deadline ordered by this court affords the legislature "a reasonable opportunity . . . to meet constitutional requirements . . ." *Wise* v. *Lipscomb, supra,* at 540. As the Supreme Court reasoned in *Reynolds* v. *Sims,* once a plan has been found unconstitutional, "it would be the unusual case in which a court would be justified in not taking appropriate action to insure that no further elections are conducted under the invalid plan." 377 U.S. at 585.

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[19] As *Goines v. Rockefeller, supra,* stated in discussing the Supremacy Clause requirements: "In state legislative apportionments, the equal protection clause of the United States Constitution and the 'one man-one vote' principle developed therefrom, being a part of the supreme law of the land, will prevail over any inconsistent provisions of a state constitution". 338 F.Supp. at 1195.

The case before us is not the "unusual case" contemplated by *Reynolds* v. *Sims*. For example, a situation which "*might* justify a court in withholding the granting of immediately effective relief" is one "where an impending election is imminent and a State's election machinery is already in progress." *Id.* (emphasis added).

The machinery for the 1982 elections in New York State is not yet in full operation and the primary elections are six months in the future. Furthermore, the political process does not commence until June 22. *Cf. Wells* v. *Rockefeller*, 394 U.S. 542, 547 (1969) (where the primary election was only three months away, the court held that "we cannot say there was error in permitting the [1968] election to proceed under the plan despite its constitutional infirmities"); *Klahr* v. *Williams*, 313 F.Supp. 148, 152 (D. Ariz. 1970), *aff'd sub nom. Ely* v. *Klahr*, 403 U.S. 108 (1971) (the court allowed elections to be held under the old plan where nominating petitions had already been circulated and had to be filed within seven weeks of the court's decision); *Swann* v. *Adams*, 383 U.S. 210, 212 (1966) (the Supreme Court ordered a valid apportionment plan "be made effective for the 1966 elections").

Considering these circumstances, it is not unreasonable to insist that the legislature enact, and the Governor sign, a valid reapportionment statute in time for the 1982 elections to proceed as scheduled.

VII.

Plaintiffs have also contended that the present state legislative and congressional plans violate the 15th Amendment and the Voting Rights Act of 1965 as amended, 42 U.S.C. §1973, *et seq.* Since on the basis of the "one person, one vote" rule of *Reynolds* v. *Sims, supra,* and Article 1, §2, we have directed that reapportionment plans be devised and enacted, we need not reach plaintiffs' other claims.

As previously stated, *supra* at 6-7, an order in accordance with this opinion was filed on March 26, 1982.

s/
Lawrence W. Pierce, U.S.C.J.

s/
Robert J. Ward, U.S.D.J.

s/
Vincent L. Broderick, U.S.D.J.

Dated: New York, New York
April 2, 1982

COURT OF APPEALS OF THE
STATE OF NEW YORK

BAY RIDGE COMMUNITY COUNCIL, INC., et al.,

Plaintiffs-Appellants,

v.

HUGH L. CAREY, et al.,

Defendant-Appellees.

In the Matter of the Petition of
BERNARD J. LeBLANC,

Petitioner-Appellant,

In the Matter of the Petition of
ROBERT P. WHELAN,

Petitioner-Appellant,

CLARENCE P. RAPPLEYEA

Intervenor-Appellant.

RECEIVED
JAN 6 1986
COURT OF
APPEALS

RECEIVED
JAN 6 1986
URT OF APPE

NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES

Notice is hereby given that Intervenor Clarence P. Rappleyea, hereby appeals to the Supreme Court of the United States from the final decree of the Court of Appeals of the State of New York, dated October 10, 1985, and entered on October 18, 1985, affirming the order of the Appellate Division of the Supreme Court of the State of New York.

BEST AVAILABLE COPY

This appeal is taken pursuant to Title 28, United States Code, Section 1257, subparagraph 2.

Dated: January 3, 1986.

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COURT OF APPEALS OF THE
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CHAPTER 1002, LAWS OF 1983
McKINNEY'S CONSOLIDATED LAWS OF NEW YORK, STATE LAW SECTION 121

The assembly districts shall consist as follows:

1. First district. In the county of Suffolk, the towns of Shelter Island, Southold, Riverhead, and that part of the town of Brookhaven bounded by a line described as follows: Beginning at a point where Deer Leap intersects William Floyd Parkway, thence southerly along William Floyd Parkway to Longwood Road, along said road to Rocky Point Yaphank Road, along said road to Mt. Sinai Road, along said road to the center of Carmans River, along the center of Carmans River to Mill Road, along said road to Country Road, along said road to Fire Avenue, along said avenue to New London Avenue, along said avenue to Phillips Drive, along said drive to Rhode Island Avenue, along said avenue to Lad Avenue, along said avenue to Maine Avenue, along said avenue to Horse Block Road, along said road to Holtsville Road, along said road to Long Island Expressway, along said expressway to Waverly Avenue, along said avenue to Horse Block Road, along said road to Portion Road, along said road to Avenue A, along said avenue to Clinton Avenue, along said avenue to Champlin Street, along said street to North Holbrook Road, along said road to Holbrook Road, along said road to Middle Country Road, along said road to North Washington Street, along said street to Stoney Brook Road, along said road to Oxhead Road, along said road to Hawkins Road, along said road to the Lake Grove village limit, along said village limit so as to exclude said village to Nicolls Road, along said road to

Hawkins Road, along said road to Polk Avenue, along said avenue to Smithtown Boulevard, along said boulevard to Caroline Avenue, along said avenue to Selden Boulevard, along said boulevard to Henry Avenue, along said avenue to Mallard Avenue, along said avenue to King Avenue, along said avenue to Imperial Drive, along said drive to Corvair Lane, along said lane to Boyle Road, along said road to Nelson Avenue, along said avenue to Magnolia Drive, along said drive to Middle Country Road, along said road to Swezey Lane, along said lane to Coram-Swezeytown Road, along said road to Whiskey Road, along said road to Miller Place-Yaphank Road, along said road to Jonah Road, along said road to Radio Avenue, along said avenue to North Country Road, along said road to Tyler Avenue, along said avenue to 5th Street, along said street to Groveland Park Boulevard, along said boulevard to New York Avenue, along said avenue to Northport Road, along said road to Lynbrook Road, along said road to Valley Road, along said road to Lower Rocky Point Road, along said road to Woodhull Landing Road, along said road to Woodhull Landing Road extended, along said road extended to the county line, along the county line to the town line, along the town line to Deer Leap extended, along Deer Leap extended to Deer Leap, along Deer Leap to a point where Deer Leap intersects William Floyd Parkway, the point of beginning.

2. **Second district.** In the county of Suffolk, the towns of East Hampton and Southampton, the Shinnecock Indian Reservation, the Poospatuck Indian Reservation, and that part of the town of Brookhaven bounded by a line described as follows: Beginning at a point where Horse Block Road intersects Maine Avenue, thence northerly along Maine Avenue to Lad Avenue, along said avenue to Rhode Island Avenue, along said avenue to Phillips Drive, along said drive to New London Avenue, along said avenue to Fire Avenue, along said avenue to Country Road, along said road to Mill Road, along said road to the center of Carmans River, along the center of said river to Mt. Sinai Road, along said road to Rocky Point Yaphank Road, along said road to Longwood Road, along said road to William Floyd Parkway, along said parkway to Deer Leap, along Deer Leap to Deer Leap extended, along Deer Leap extended to the town line, along the town line to the county line, along the county line to Suffolk Boulevard extended, along said boulevard extended to Suffolk Boulevard, along said boulevard to the Smith Point Bridge, along said bridge to the center of Great South Bay, along the center of said bay to the center of Carmans River extended, along the center of said river extended to the center of Carmans

River, along the center of said river to the main line of the Long Island Rail Road Right of Way, along said right of way to Horse Block Road, along said road to a point where Horse Block Road intersects Maine Avenue, the point of beginning.

3. **Third district.** In the county of Suffolk, that part of the town of Brookhaven bounded by a line described as follows: Beginning at a point where Holtsville Road intersects Horse Block Road, thence easterly along Horse Block Road to the main line of the Long Island Rail Road Right of Way, along said right of way to the center of Carmans River, along the center of said river to the center of Carmans River extended, along the center of said river extended to the center of Great South Bay, along the center of said bay to the Smith Point Bridge, along said bridge to Suffolk Boulevard, along said boulevard to Suffolk Boulevard extended, along said boulevard extended to the county line, along the county line to West Walk extended, along West Walk extended to West Walk, along West Walk to West Walk extended, along West Walk extended to the town line, along the town line to Long Island Expressway, along said expressway to Hawkins Avenue, along said avenue to Long Island Expressway Service Road North, along said road to Pleasure Avenue, along said avenue to Church Street, along said street to Foster Road, along said road to Samuel Street, along said street to Foster Road, along said road to Portion Road, along said road to Horse Block Road, along said road to Waverly Avenue, along said avenue to Long Island Expressway, along said expressway to Holtsville Road, along said road to a point where Holtsville Road intersects Horse Block Road, the point of beginning, and that part of the town of Islip bounded by a line described as follows: Beginning at a point where Nichols Road intersects Long Island Expressway, thence easterly along Long Island Expressway to the town line, along the town line to Sunrise Highway, along said highway to Veterans Memorial Highway, along said highway to Nichols Road, along said road to a point where Nichols Road intersects Long Island Expressway, the point of beginning.

4. **Fourth district.** In the county of Suffolk, that part of the town of Brookhaven bounded by a line described as follows: Beginning at a point where Woodhull Landing Road intersects Lower Rocky Point Road, thence easterly along Lower Rocky Point Road to Valley Road, along said road to Lynbrook Road, along said road to Northport Road, along said road to New York Avenue, along said avenue to Groveland Park Boulevard, along said boulevard to 5th Street, along said street to Tyler Avenue,

along said avenue to North Country Road, along said road to Radio Avenue, along said avenue to Jonah Road, along said road to Miller Place-Yaphank Road, along said road to Whiskey Road, along said road to Coram-Swezeytown Road, along said road to Swezey Lane, along said lane to Middle Country Road, along said road to Magnolia Drive, along said drive to Nelson Avenue, along said avenue to Boyle Road, along said road to Corvair Lane, along said lane to Imperial Drive, along said drive to King Avenue, along said avenue to Mallard Avenue, along said avenue to Henry Avenue, along said avenue to Selden Boulevard, along said boulevard to Caroline Avenue, along said avenue to Smithtown Boulevard, along said boulevard to Polk Avenue, along said avenue to Hawkins Road, along said road to Nicolls Road, along said road to the Lake Grove village limit, along said village limit so as to exclude said village to the town line, along the town line to the county line, along the county line to Woodhull Landing Road extended, along said road extended to Woodhull Landing Road, along said road to a point where Woodhull Landing Road intersects Lower Rocky Point Road, the point of beginning.

5. **Fifth district.** In the county of Suffolk, that part of the town of Islip bounded by a line described as follows: Beginning at a point where Long Island Expressway intersects Nichols Road, thence southwesterly along Nichols Road to Veterans Memorial Highway, along said highway to Sunrise Highway, along said highway to the town line, along the town line to the center of the Connetquot River, along the center of said river to Sea Cliff Street extended, along said street extended to Sea Cliff Street, along said street to Greenlawn Avenue, along said avenue to Valley Stream Street, along said street to North Spur Drive, along said drive to Carleton Avenue, along said avenue to Southern State Parkway, along said parkway to Commack Road, along said road to Candlewood Road, along said road to New Jersey Avenue, along said avenue to Brentwood Road, along said road to Southern State Parkway, along said parkway to Manatuck Boulevard, along said boulevard to Pine Aire Drive, along said drive to Sagtikos State Parkway, along said parkway to Crooked Hill Road, along said road to Heyward Street extended, along said street extended to Wicks Road, along said road to Floyd Street, along said street to Madison Avenue, along said avenue to Ellery Street, along said street to Jefferson Avenue, along said avenue to Suffolk Avenue, along said avenue to Fulton Street, along said street to Lexington Avenue, along said avenue to Joshuas Path, along said path to Long Island Motor

Parkway, along the greater distance of said parkway to Long Island Expressway, along said expressway to a point where Long Island Expressway intersects Nichols Road, the point of beginning, and that part of the town of Islip bounded by a line described as follows: Beginning at a point where the town line intersects the county line, thence westerly along the county line to the town line, along the town line to the center of Great South Bay, along the center of said bay to the town line, along the town line to a point where the town line intersects the county line, the point of beginning, and that part of the town of Brookhaven bounded by a line described as follows: Beginning at a point where West Walk extended intersects the county line, thence westerly along the county line to the town line, along the town line to West Walk extended, along West Walk extended to West Walk, along West Walk to West Walk extended, along West Walk extended to a point where West Walk extended intersects the county line, the point of beginning.

6. **Sixth district.** In the county of Suffolk, the town of Smithtown.

7. **Seventh district.** In the county of Suffolk, that part of the town of Brookhaven bounded by a line described as follows: Beginning at a point where Hawkins Road intersects Oxhead Road, thence southerly along Oxhead Road to Stony Brook Road, along said road to North Washington Street, along said street to Middle Country Road, along said road to Holbrook Road, along said road to North Holbrook Road, along said road to Champlin Street, along said street to Clinton Avenue, along said avenue to Avenue A, along said avenue to Portion Road, along said road to Foster Road, along said road to Samuel Street, along said street to Foster Road, along said road to Church Street, along said street to Pleasure Avenue, along said avenue to Long Island Expressway Service Road North, along said road to Hawkins Avenue, along said avenue to Long Island Expressway, along said expressway to the town line, along the town line to the Lake Grove village limit, along said village limit so as to include said village to Hawkins Road, along said road to a point where Hawkins Road intersects Oxhead Road, the point of beginning, and that part of the town of Islip bounded by a line described as follows: Beginning at a point where Nichols Road intersects Long Island Expressway, thence westerly along Long Island Expressway to Long Island Motor Parkway, along said parkway to Joshuas Path, along Joshuas Path to Lexington Avenue, along said avenue to Fulton Street, along said street to

Suffolk Avenue, along said avenue to Jefferson Avenue, along said avenue to Ellery Street, along said street to Madison Avenue, along said avenue to Floyd Street, along said street to Wicks Road, along said road to Heyward Street extended, along said street extended to Crooked Hill Road, along said road to Sagtikos State Parkway, along said parkway to Pine Aire Drive, along said drive to Manatuck Boulevard, along said boulevard to Southern State Parkway, along said parkway to Brentwood Road, along said road to New Jersey Avenue, along said avenue to Candlewood Road, along said road to Commack Road, along said road to Sunrise Highway, along said highway to Saxon Avenue, along said avenue to Union Boulevard, along said boulevard to 5th Avenue, along said avenue to Howells Road, along said road to the Brightwaters village limit, along said village limit so as to exclude said village to Sunrise Highway, along said highway to Manor Lane, along said lane to Manor Lane connected, along said lane connected to Manor Lane, along said lane to Diamond Street, along said street to Carll Drive, along said drive to Daymon Street, along said street to Hyman Avenue, along said avenue to Runyon Street, along said street to Namdac Avenue, along said avenue to Babe Ruth Street, along said street to Hyman Avenue, along said avenue to Union Boulevard, along said boulevard to Robert Moses Causeway, along said causeway to Montauk Highway, along said highway to Higbie Lane, along said lane to Sunrise Highway, along said highway to the town line, along the town line to its second intersection with Long Island Expressway, along said expressway to a point where Nichols Road intersects Long Island Expressway, the point of beginning.

8. **Eighth district.** In the county of Suffolk, that part of the town of Babylon that is bounded by a line described as follows: Beginning at a point where Deer Park Avenue intersects Bayshore Road, thence southeasterly along Bayshore Road to the town line, along the town line to the second intersection with the center of Great South Bay, along the center of said bay to the center of Santapogue Creek extended, along the center of said creek extended to the center of Santapogue Creek, along the center of said creek to the Lindenhurst village limit, along said village limit so as to exclude said village to East Drive, along said drive to Babylon Farmingdale Road, along said road to Farmingdale Road, along said road to 6th Avenue, along said avenue to Straight Path, along Straight Path to Herzel Boulevard, along said boulevard to 14th Avenue, along said avenue to 3rd Street, along said street to 15th Avenue, along said avenue to 2nd Street, along said street to Little East Neck Road, along said

road to Baur Street, along said street to Bond Street, along said street to Clark Street, along said street to Belmont Avenue, along said avenue to Southern State Parkway, along said parkway to the center of Carlls Creek, along the center of said creek to Wyandanch Avenue, along said avenue to August Road, along said road to Prairie Drive, along said drive to Wood Path, along Wood Path to Dollard Drive, along said drive to Deer Park Avenue, along said avenue to a point where Deer Park Avenue intersects Bayshore Road, the point of beginning, and that part of the town of Islip that is bounded by a line described as follows: Beginning at a point where Greenlawn Avenue intersects Sea Cliff Street, thence northeasterly along said street to Sea Cliff Street extended, along said street extended to the center of Connetquot River, along the center of said river to the town line, along the town line to the center of Great South Bay, along the center of said bay to the town line, along the town line to Sunrise Highway, along said highway to Higbie Lane, along said lane to Montauk Highway, along said highway to Robert Moses Causeway, along said causeway to Union Boulevard, along said boulevard to Hyman Avenue, along said avenue to Babe Ruth Street, along said street to Namdac Avenue, along said avenue to Runyon Street, along said street to Hyman Avenue, along said avenue to Daymon Street, along said street to Carll Drive, along said drive to Diamond Street, along said street to Manor Lane, along said lane to Manor Lane connected, along said lane connected to Manor Lane, along said lane to Sunrise Highway, along said highway to the Brightwaters village limit, along said village limit so as to include said village to Howells Road, along said road to 5th Avenue, along said avenue to Union Boulevard, along said boulevard to Saxon Avenue, along said avenue to Sunrise Highway, along said highway to Commack Road, along said road to Southern State Parkway, along said parkway to Carlton Avenue, along said avenue to Spur Drive, along said drive to Valley Stream Street, along said street to Greenlawn Avenue, along said avenue to a point where Greenlawn Avenue intersects Sea Cliff Street, the point of beginning.

9. **Ninth district.** In the county of Suffolk, that part of the town of Huntington bounded by a line described as follows: Beginning at a point where Deer Park Avenue intersects Northern State Parkway, thence westerly along Northern State Parkway to Dix Hills Road, along said road to Old Country Road, along said road to Deer Park Road, along said road to Jericho Turnpike, along said turnpike to Manor Road, along said road to Little Plains Road, along said road to Park Avenue, along said ave-

nue to Broadway, along Broadway to New York Avenue, along said avenue to Warfield Drive, along said drive to Oakwood Road, along said road to Soundview Road, along said road to Woodbury Road, along said road to West Neck Road, along said road to Central Street, along said street to Clinton Avenue, along said avenue to Tanyard Lane, along said lane to West Neck Road, along said road to the Lloyd Harbor Village limit, along said village limit so as to exclude said village to the center of Huntington Harbor, along the center of said harbor to the center of Huntington Bay, along the center of said bay to the center of Huntington Bay extended, along the center of said bay extended to the town line, along the town line to Deer Park Avenue, along said avenue to a point where Deer Park Avenue intersects Northern State Parkway, the point of beginning.

10. Tenth district. In the county of Suffolk, that part of the town of Huntington bounded by a line described as follows: Beginning at a point where West Neck Road intersects Tanyard Lane, thence easterly along Tanyard Lane to Clinton Avenue, along said avenue to Central Street, along said street to West Neck Road, along said road to Woodbury Road, along said road to Soundview Road, along said road to Oakwood Road, along said road to Warfield Drive, along said drive to New York Avenue, along said avenue to Broadway, along Broadway to Park Avenue, along said avenue to Little Plains Road, along said road to Manor Road, along said road to Jericho Turnpike, along said turnpike to Deer Park Road, along said road to Old Country Road, along said road to Dix Hills Road, along said road to Northern State Parkway, along said parkway to Deer Park Avenue, along said avenue to the town line, along the town line to the center of Huntington Bay extended, along the center of said bay extended to the center of Huntington Bay, along the center of said bay to the center of Huntington Harbor, along the center of said harbor to the Lloyd Harbor village limit, along said village limit so as to include said village to West Neck Road, along said road to a point where West Neck Road intersects Tanyard Lane, the point of beginning; and that part of the town of Babylon bounded by a line described as follows: Beginning at a point where Bay Shore Road intersects Deer Park Avenue, thence southerly along Deer Park Avenue to Dollard Drive, along said drive to Wood Path, along Wood Path to Prairie Drive, along said drive to August Road, along said road to Wyandanch Avenue, along said avenue to the center of Carlls Creek, along the center of said creek to Old Country Road, along said road to Half Hollow Road, along said road to Straight Path, along

Straight Path to Burrs Lane, along said lane to the town line, along the town line to Bay Shore Road, along said road to a point where Bay Shore Road intersects Deer Park Avenue, the point of beginning.

11. **Eleventh district.** In the county of Suffolk, that part of the town of Babylon bounded by a line described as follows: Beginning at a point where Straight Path intersects Half Hollow Road, thence southeasterly along Half Hollow Road to Old Country Road, along said road to the center of Carlls Creek, along the center of said creek to Southern State Parkway, along said parkway to Belmont Avenue, along said avenue to Clark Street, along said street to Bond Street, along said street to Baur Street, along said street to Little East Neck Road, along said road to 2nd Street, along said street to 15th Avenue, along said avenue to 3rd Street, along said street to 14th Avenue, along said avenue to Herzel Boulevard, along said boulevard to Straight Path, along Straight Path to 6th Avenue, along said avenue to Babylon Farmingdale Road, along said road to East Drive, along said drive to the Lindenhurst village limit, along said village limit so as to include said village to the center of Santapogue Creek, along the center of said creek to the center of Santapogue Creek extended, along the center of said creek extended to the center of Great South Bay, along the center of said bay to the county line, along the county line to the town line, along the town line to Burrs Lane, along said lane to Straight Path, along Straight Path to a point where Straight Path intersects Half Hollow Road, the point of beginning.

12. **Twelfth district.** In the county of Nassau, that part of the town of Oyster Bay that is bounded by a line described as follows: Beginning at a point where Central Avenue intersects Quaker Meeting House Road, thence northeasterly along Quaker Meeting House Road to the Farmingdale village limit, along said village limit so as to include said village to Melville Road, along said road to the town line, along the town line to Union Avenue, along said avenue to Stewart Avenue, along said avenue to Arthur Avenue, along said avenue to Broadway, along Broadway to Central Avenue, along said avenue to Seaford-Oyster Bay Expressway, along said expressway to Powell Avenue, along said avenue to Plainview road, along said road to Central Avenue, along said avenue to a point where Central Avenue intersects Quaker Meeting House Road, the point of beginning.

13. **Thirteenth district.** In the county of Nassau, the city of Glen Cove and that part of the town of Oyster Bay bounded by a

line described as follows: Beginning at a point where Quaker Meeting House Road intersects Central Avenue, thence westerly along Central Avenue to Plainview Road, along said road to Seaford-Oyster Bay Expressway, along said expressway to Hay Path Road, along said road to Farmers Avenue, along said avenue to Stewart Avenue, along said avenue to South Oyster Bay Road, along said road to Hicksville Woodbury Road, along said road to Ketcham Road, along said road to Ketcham Avenue, along said avenue to Vincent Road, along said road to Miller Place, along said place to Northern State Parkway, along said parkway to the Long Island Rail Road Port Jefferson Branch Right of Way, along said right of way to Long Island Expressway, along said expressway to North Broadway, along North Broadway to Jericho Turnpike, along said turnpike to the Muttontown village limit, along said village limit so as to exclude said village to the Upper Brookville village limit, along said village limit so as to exclude said village to the Mill Neck village limit, along said village limit so as to include said village to the Lattingtown village limit, along said village limit so as to include said village to the town line, along the town line to Melville Road, along said road to the Farmingdale village limit, along said village limit so as to exclude said village to Quaker Meeting House Road, along said road to a point where Quaker Meeting House Road intersects Central Avenue, the point of beginning.

14. **Fourteenth district.** In the county of Nassau, that part of the town of Oyster Bay bounded by a line described as follows: Beginning at a point where Northern State Parkway intersects Miller Place, thence southerly along Miller Place to Vincent Road, along said road to Ketcham Avenue, along said avenue to Ketcham Road, along said road to Hicksville Woodbury Road, along said road to South Oyster Bay Road, along said road to Stewart Avenue, along said avenue to Farmers Avenue, along said avenue to Hay Path Road, along said road to Seaford-Oyster Bay Expressway, along said expressway to Powell Avenue, along said avenue to Seaford-Oyster Bay Expressway, along said expressway to Central Avenue, along said avenue to Broadway, along Broadway to Arthur Avenue, along said avenue to Stewart Avenue, along said avenue to Union Avenue, along said avenue to the town line, along the town line to Cantiague Rock Road, along said road to Northern State Parkway, along said parkway to Kuhl Avenue extended, along said avenue extended to Princess Street, along said street to Myers Avenue, along said avenue to 14th Street, along said street to Richard Avenue, along said avenue to 16th Street, along said street to North

Broadway, along North Broadway to Bethpage Road, along said road to the Long Island Rail Road Port Jefferson Branch Right of Way, along said right of way to Northern State Parkway, along said parkway to a point where Northern State Parkway intersects Miller Place, the point of beginning, and that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where Henry Street intersects Beltagh Avenue, thence northeasterly along Beltagh Avenue to Oakfield Avenue, along said avenue to Jerusalem Avenue, along said avenue to Wantagh Avenue, along said avenue to Grey Lane, along said lane to Anchor Lane, along said lane to Water Lane North, along said lane to Green Lane, along said lane to Ranch Lane, along said lane to Abbey Lane, along said lane to Reed Lane, along said lane to Gardiners Avenue, along said avenue to Jerusalem Avenue, along said avenue to the town line, along the town line to the center of Seaford Creek, along the center of said creek to the center of Seamans Creek, along the center of said creek to the center of Flat Creek, along the center of said creek to the center of Jackson Creek, along the center of said creek to the center of Bellmore Creek, along the center of said creek to Martin Avenue extended, along said avenue extended to Henry Street, along said street to a point where Henry Street intersects Beltagh Avenue, the point of beginning.

15. **Fifteenth district.** In the county of Nassau, that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where North Newbridge Road intersects Wantagh State Parkway, thence southeasterly along Wantagh State Parkway to Southern State Parkway, along said parkway to Oakfield Avenue, along said avenue to South Shelly Road, along said road to West Shelly Road, along said road to Ray Place, along said place to Bellmore Road, along said road to Jerusalem Avenue, along said avenue to Newbridge Road, along said road to Southern State Parkway, along said parkway to Bellmore Avenue, along said avenue to Hancock Avenue, along said avenue to Washington Avenue, along said avenue to Bedford Avenue, along said avenue to Oakland Court, along said court to Ennabrock Road, along said road to North Jerusalem Road, along said road to Preston Road, along said road to Wilson Road, along said road to Harrison Avenue, along said avenue to Eisenhower Place, along said place to Eric Lane, along said lane to May Lane, along said lane to Kalda Lane, along said lane to Merrick Avenue, along said avenue to Spring Street, along said street to Gates Avenue, along said avenue to Elmore Avenue, along said avenue to Chambers Avenue, along said ave-

nue to Von Elm Avenue, along said avenue to Chamberlain street, along said street to Powers Avenue, along said avenue to Benito Street, along said street to Lenox Avenue, along said avenue to Newbridge Avenue, along said avenue to Newbridge Road, along said road to Columbus Avenue, along said avenue to Beckman Drive, along said drive to Pine Court, along said court to Cedar Road, along said road to Virginia Avenue, along said avenue to North Jerusalem Road, along said road to Hilda Street, along said street to Cypress Avenue, along said avenue to Lawn Drive, along said drive to Newbridge Road, along said road to 7th Avenue, along said avenue to Andrew Avenue, along said avenue to 1st Avenue, along said avenue to Post Street, along said street to Bright Avenue, along said avenue to Hempstead-Bethpage Turnpike, along said turnpike to Carman Avenue, along said avenue to Salisbury Park Drive, along said drive to the town line, along the town line to North Newbridge Road, along said road to a point where North Newbridge Road intersects Wantagh State Parkway, the point of beginning, and that part of the town of North Hempstead bounded by a line described as follows: Beginning at a point where Post Avenue intersects Northern State Parkway, thence westerly along Northern State Parkway to Ellison Avenue, along said avenue to the Westbury village limit, westerly along said village limit to Glen Cove Road, along said road to Raff Avenue, along said avenue to the Mineola village limit, along said village limit so as to exclude said village to the East Williston village limit, along said village limit so as to exclude said village to the Long Island Rail Road Oyster Bay Branch Right of Way, along said right of way to Willets Road, along said road to Devon Road, along said road to Meldon Avenue, along said avenue to Willis Avenue, along said avenue to Willets Avenue, along said avenue to Searingtown Road, along said road to Manhasset Avenue, along said avenue to Moore Street, along said street to Union Street, along said street to East Street, along said street to Oak Lane, along said lane to Maple Lane, along said lane to Ash Place, along said place to Cedar Drive, along said drive to Birch Drive, along said drive to Fir Drive, along said drive to Olive Lane, along said lane to Aspen Lane, along said lane to Larch Drive, along said drive to Birch Drive, along said drive to Old Court House Road, along said road to Shelter Rock Road, along said road to the North Hills village limit, along said village limit so as to exclude said village to Northern State Parkway, along said parkway to the Long Island Rail Road Oyster Bay Branch Right of Way, along said right of way to the Roslyn village limit, along said village

limit so as to include said village to the Roslyn Estates village limit, along said village limit so as to include said village to the Roslyn village limit, along said village limit so as to include said village to the center of Hempstead Harbor, along the center of said harbor to the town line, along the town line to its second intersection with Post Avenue, along said avenue to a point where Post Avenue intersects Northern State Parkway, the point of beginning, and that part of the town of Oyster Bay bounded by a line described as follows: Beginning at a point where Jericho Turnpike intersects North Broadway, thence southerly along North Broadway to Long Island Expressway, along said expressway to the Long Island Rail Road Port Jefferson Branch Right of Way, along said right of way to Bethpage Road, along said road to North Broadway, along North Broadway to 16th Street, along said street to Richard Avenue, along said avenue to 14th Street, along said street to Myers Avenue, along said avenue to Princess Street, along said street to Kuhl Avenue extended, along said avenue extended to Northern State Parkway, along said parkway to Cantiague Rock Road, along said road to the town line, along the town line to the Lattingtown village limit, along said village limit so as to exclude said village to the Mill Neck village limit, along said village limit so as to exclude said village to the Upper Brookville village limit, along said village limit so as to include said village to the Muttontown village limit, along said village limit so as to include said village to Jericho Turnpike, along said turnpike to a point where Jericho Turnpike intersects North Broadway, the point of beginning.

16. **Sixteenth district.** In the county of Nassau, that part of the town of North Hempstead bounded by a line described as follows: Beginning at a point where Hillside Boulevard intersects Hillside Avenue, thence southwesterly along Hillside Avenue to the town line, along the town line to the center of Hempstead Harbor, along the center of said harbor to the Roslyn village limit, along said village limit so as to exclude said village to the Flower Hill village limit, along said village limit so as to include said village to the Roslyn Estates village limit, along said village limit so as to exclude said village to the Roslyn village limit, along said village limit so as to exclude said village to the Long Island Rail Road Oyster Bay Branch Right of Way, along said right of way to Northern State Parkway, along said parkway to the North Hills village limit, along said village limit so as to include said village to Shelter Rock Road, along said road to Old Court House Road, along said road to Birch Drive, along said drive to Larch Drive, along said drive to Aspen Lane, along said

lane to Olive Lane, along said lane to Fir Drive, along said drive to Birch Drive, along said drive to Cedar Drive, along said drive to Ash Place, along said place to Maple Lane, along said lane to Oak Lane, along said lane to East Street, along said street to Union Street, along said street to Moore Street, along said street to Manhasset Avenue, along said avenue to Searingtown Road, along said road to Williams Street extended, along said street extended to Williams Street, along said street to the Williston Park village limit, along said village limit so as to exclude said village to the Mineola village limit, along said village limit so as to exclude said village to the town line, along the town line to the New Hyde Park village limit, along said village limit so as to exclude said village to Hillside Boulevard, along said boulevard to a point where Hillside Boulevard intersects Hillside Avenue, the point of beginning.

17. **Seventeenth district.** In the county of Nassau, that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where Salisbury Park Drive intersects Carman Avenue, thence southerly along Carman Avenue to Hempstead-Bethpage Turnpike, along said turnpike to Bright Avenue, along said avenue to Post Street, along said street to 1st Avenue, along said avenue to Andrew Avenue, along said avenue to 7th Avenue, along said avenue to Newbridge Road, along said road to Lawn Drive, along said drive to Cypress Avenue, along said avenue to Hilda Street, along said street to North Jerusalem Road, along said road to Virginia Avenue, along said avenue to Cedar Road, along said road to Pine Court, along said court to Beckman Drive, along said drive to Columbus Avenue, along said avenue to Newbridge Road, along said road to Newbridge Avenue, along said avenue to Lenox Avenue, along said avenue to Benito Street, along said street to Powers Avenue, along said avenue to Chamberlain Street, along said street to Von Elm Avenue, along said avenue to Chambers Avenue, along said avenue to Elmore Avenue, along said avenue to Gates Avenue, along said avenue to Spring Street, along said street to Merrick Avenue, along said avenue to Kalda Lane, along said lane to May Lane, along said lane to Eric Lane, along said lane to Eisenhower Place, along said place to Harrison Avenue, along said avenue to Wilson Road, along said road to Preston Road, along said road to North Jerusalem Road, along said road to Emmabrock Road, along said road to Oakland Court, along said court to Bedford Avenue, along said avenue to Washington Avenue, along said avenue to Hancock Avenue, along said avenue to Bellmore Avenue, along said avenue to Southern State Parkway,

along said parkway to Little Whaleneck Road, along said road to Merrick Avenue, along said avenue to Camp Avenue, along said avenue to Chapin Avenue, along said avenue to Henry Street, along said street to Meadowbrook Road, along said road to Southern State Parkway, along said parkway to Meadowbrook Parkway, along said parkway to Hempstead Turnpike, along said turnpike to Oak Street, along said street to Westbury Boulevard, along said boulevard to the Garden City village limit, along said village limit so as to include said village to the Hempstead village limit so as to exclude said village to Hempstead Avenue, along said avenue to McKinley Street, along said street to South Cherry Valley Avenue, along said avenue to Hempstead Farmingdale Turnpike, along said turnpike to Cherry Valley Avenue, along said avenue to the Garden City village limit so as to include said village to the Stewart Manor village limit, along said village limit so as to include said village to the New Hyde Park village limit, along said village limit so as to include said village to the town line, along the town line to Salisbury Park Drive, along said drive to a point where Salisbury Park Drive intersects Carman Avenue, the point of beginning, and that part of the town of North Hempstead bounded by a line described as follows: Beginning at a point where Hillside Avenue intersects Hillside Boulevard, thence southeasterly along Hillside Boulevard to the New Hyde Park village limit, along said village limit so as to include said village to Cherry Lane, along said lane to Hillside Avenue, along said avenue to a point where Hillside Avenue intersects Hillside Boulevard, the point of beginning, and that part of the town of North Hempstead bounded by a line described as follows: Beginning at a point where Northern State Parkway intersects Post Avenue, thence southerly along Post Avenue to the town line, along the town line to the Mineola village limit, along said village limit so as to include said village to the Williston Park village limit, along said village limit so as to include said village to William Street, along said street to William Street extended, along said street extended to Searingtown Road, along said road to Willets Road, along said road to Willis Avenue, along said avenue to Meldon Avenue, along said avenue to Devon Road, along said road to Willets Road, along said road to the Long Island Rail Road Oyster Bay Branch Right of Way, along said right of way to East Williston village limit, along said village limit so as to include said village to the Mineola village limit, along said village limit so as to include said village to Raff Avenue, along said avenue to Glen Cove Road, along said road to the second intersection of said road with the Westbury

village limit, easterly along said village limit to Ellison Avenue, along said avenue to Northern State Parkway, along said parkway to a point where Northern State Parkway intersects Post Avenue, the point of beginning.

18. **Eighteenth district.** In the county of Nassau, that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where Hempstead Turnpike intersects Meadowbrook Parkway thence southerly along Meadowbrook Parkway, along said parkway to Southern State Parkway, along said parkway to Meadowbrook Road, along said road to Henry Street, along said street to Chapin Avenue, along said avenue to Camp Avenue, along said avenue to Merrick Avenue, along said avenue to Smith Street, along said street to Madison Street, along said street to Bedford Avenue, along said avenue to Babylon Turnpike, along said turnpike to Sunrise Highway, along said highway to Meadowbrook Parkway, along said parkway to Merrick Road, along said road to Mill Road, along said road to South Main Street, along said street to Atlantic Avenue, along said avenue to South Bayview Avenue, along said avenue to Southside Avenue, along said avenue to South Brookside Avenue, along said avenue to Merrick Road, along said road to the Freeport village limit, northerly along said village limit to Stanton Avenue, along said avenue to Grand Avenue, long said avenue to Southern State Parkway, along said parkway to Peninsula Boulevard, along said boulevard to the Rockville Centre village limit, along said village limit so as to exclude said village to the Lynbrook village limit, along said village limit so as to exclude said village to the Malverne village limit, along said village limit so as to exclude said village to the Long Island Rail Road West Hempstead Branch Right of Way, along said right of way to Southern State Parkway, along said parkway to Eagle Avenue, along said avenue to the Hempstead Lake State Park boundary, northerly along said boundary to the Hempstead Golf Club boundary, along said boundary so as to include the Hempstead Golf Club to the Hempstead village limit, along said village limit so as to include said village to Westbury Boulevard, along said boulevard to Oak Street, along said street to Hempstead Turnpike, along said turnpike to a point where Hempstead Turnpike intersects Meadowbrook Parkway, the point of beginning.

19. **Nineteenth district.** In the county of Nassau, that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where Gardiners Avenue intersects Reed Lane, thence easterly along Reed Lane to Abbey Lane,

along said lane to Ranch Lane, along said lane to Green Lane, along said lane to Water Lane North, along said lane to Anchor Lane, along said lane to Grey Lane, along said lane to Wantagh Avenue, along said avenue to Jerusalem Avenue, along said avenue to Oakfield Avenue, along said avenue to Beltagh Avenue, along said avenue to Henry Street, along said street to Martin Avenue extended, along said avenue extended to the center of Bellmore Creek, along the center of said creek to the center of Jackson Creek, along the center of said creek to the center of Flat Creek, along the center of said creek to the center of Seaman Creek, along the center of said creek to the center of Seaford Creek, along the center of said creek to the town line, along the town line to the center of Jones Inlet extended, along the center of Jones Inlet extended to the center of Jones Inlet, along the center of said inlet to the center of Reynolds Channel, along the center of said channel to the city of Long Beach city limit, along said city limit so as to exclude said city to the center of Hog Island Channel, along the center of said channel to the center of Barnums Island Channel, along the center of said channel to the center of Garrets Lead, along the center of said lead to the center of Parsonage Creek extended, along the center of said creek extended, to the center of Parsonage Creek, along the center of said creek to Foxhurst Road, along said road to Merrick Road, along said road to South Brookside Avenue, along said avenue to Southside Avenue, along said avenue to South Bayview Avenue, along said avenue to Atlantic Avenue, along said avenue to South Main Street, along said street to Mill Road, along said road to Merrick Road, along said road to Meadowbrook Parkway, along said parkway to Sunrise Highway, along said highway to Babylon Turnpike, along said turnpike to Bedford Avenue, along said avenue to Madison Street, along said street to Smith Street, along said street to Merrick Avenue, along said avenue to Little Whaleneck Road, along said road to Southern State Parkway, along said parkway to Newbridge Road, along said road to Jerusalem Avenue, along said avenue to Bellmore Road, along said road to Ray Place, along said place to West Shelly Road, along said road to South Shelly Road, along said road to Oakfield Avenue, along said avenue to Southern State Parkway, along said parkway to Wantagh State Parkway, along said parkway to North Newbridge Road, along said road to the town line, along the town line to Jerusalem Avenue, along said avenue to Gardiners Avenue, along said avenue to a point where Gardiners Avenue intersects Reed Lane, the point of beginning.

20. **Twentieth district.** In the county of Nassau, the city of Long Beach and that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where Atlantic Avenue intersects Bayside Avenue, thence southwesterly along Bayside Avenue to Messick Avenue, along said avenue to Vermont Avenue, along said avenue to Lawrence Avenue, along said avenue to West Waukena Avenue, along said avenue to Long Beach Road, along said road to Waukena Avenue, along said avenue to 5th Street, along said street to Mott Street, along said street to 3rd Street, along said street to West Henrietta Avenue, along said avenue to Oceanside Road, along said road to George Place, along said place to 1st Street, along said street to Waukena Avenue, along said avenue to Oceanside Road, along said road to Sunnyside Road, along said road to Xavier Place, along said place to Dwight Street, along said street to Perry Avenue, along said avenue to Arrow Street, along said street to Neptune Avenue, along said avenue to Thorn Street, along said street to Park Avenue, along said avenue to Waukena Avenue, along said avenue to Skillman Avenue, along said avenue to Kenilworth Street, along said street to Poplar Street, along said street to Freeman Avenue, along said avenue to Woodward Street, along said street to Carpenter Avenue, along said avenue to Federick Street, along said street to Frederick Street extended, along said street extended to the center of Parsonage Creek, along the center of said creek to the center of Parsonage Creek extended, along the center of said creek extended to the center of Garretts Lead, along the center of said lead to the center of Barnums Island Channel, along the center of said channel to the center of Hog Island Channel, along the center of said channel to the Long Beach city limit, along said city limit so as to include said city to the center of Reynolds Channel, along the center of said channel to the center of Jones Inlet, along the center of said inlet to the center of Jones Inlet extended, along the center of said inlet extended to the town line, along the town line to the Valley Stream village limit, along said village limit so as to exclude said village to the Lynbrook village limit, along said village limit so as to exclude said village to the East Rockaway village limit, along said village limit so as to include said village to Atlantic Avenue, along said avenue to a point where Atlantic avenue intersects Bayside Avenue, the point of beginning.

21. **Twenty-first district.** In the county of Nassau, that part of the town of Hempstead bounded by a line described as follows: Beginning at a point where Southern State Parkway intersects

Grand Avenue, thence southerly along Grand Avenue to Stanton Avenue, along said avenue to the Freeport village limit, southerly along said village limit to Merrick Road, along said road to Foxhurst Road, along said road to the center of Parsonage Creek, along the center of said creek to Frederick Street extended, along said street extended to Frederick Street, along said street to Carpenter Avenue, along said avenue to Woodward Street, along said street to Freeman Avenue, along said avenue to Poplar Street, along said street to Kenilworth Street, along said street to Skillman Avenue, along said avenue to Waukena Avenue, along said avenue to Park Avenue, along said avenue to Thorn Street, along said street to Neptune Avenue, along said avenue to Arrow Street, along said street to Perry Avenue, along said avenue to Dwight Street, along said street to Xavier Place, along said place to Sunnyside Road, along said road to Oceanside Road, along said road to Waukena Avenue, along said avenue to 1st Street, along said street to George Place, along said place to Oceanside Road, along said road to West Henrietta Avenue, along said avenue to 3rd Street, along said street to Mott Street, along said street to 5th Street, along said street to Waukena Avenue, along said avenue to Long Beach Road, along said road to West Waukena Avenue, along said avenue to Lawrence Avenue, along said avenue to Vermont Avenue, along said avenue to Messick Avenue, along said avenue to Baysi le Avenue, along said avenue to Atlantic Avenue, along said avenue to the East Rockaway village limit, along said village limit so as to exclude said village to the Lynbrook village limit, along said village limit so as to include said village to the Valley Stream village limit, along said village limit so as to include said village to the Lynbrook village limit, along said village limit so as to include said village to the Rockville Centre village limit, along said village limit so as to include said village to its second intersection with Peninsula Boulevard, along said boulevard to Southern State Parkway, along said parkway to a point where Southern State Parkway intersects Grand Avenue, the point of beginning.

22. **Twenty-second district.** In the county of Nassau, that part of the town of Hempstead, bounded by a line described as follows: Beginning at a point where Eagle Avenue intersects Southern State Parkway, thence southwesterly along Southern State Parkway to the Long Island Rail Road West Hempstead Branch Right of Way, along said right of way to the Malverne village limit, along said village limit so as to include said village to the Lynbrook village limit, along said village limit so as to ex-

clude said village to the Valley Stream village limit, northwesterly along said village limit to the town line, along the town line to the Floral Park village limit, along said village limit so as to include said village to the Stewart Manor village limit, along said village limit so as to exclude said village to the Garden City village limit, along said village limit so as to exclude said village to Cherry Valley Avenue, along said avenue to Hempstead Farmingdale Turnpike, along said turnpike to South Cherry Valley Avenue, along said avenue to McKinley Street, along said street to Hempstead Avenue, along said avenue to the Hempstead village limit, along said village limit so as to exclude said village to the Hempstead Golf Club boundary, along said boundary so as to exclude the Hempstead Golf Club to the Hempstead Lake State Park boundary, southwesterly along said boundary to Eagle Avenue, along said avenue to a point where Eagle Avenue intersects Southern State Parkway, the point of beginning, and that part of the town of North Hempstead bounded by a line described as follows: Beginning at a point where White Avenue intersects Cherry Lane, thence southeasterly along Cherry Lane to the New Hyde Park village limit, along said village limit so as to exclude said village to the town line, along the town line to the Floral Park Center village limit, along said village limit so as to include said village to the town line, along the town line to Cherry Lane, along said lane to a point where White Avenue intersects Cherry Lane, the point of beginning.

23. **Twenty-third district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 147th Avenue intersects 253rd Street, thence southerly along 253rd Street to 147th Road, along said road to Francis Lewis Boulevard, along said boulevard to 147th Drive, along said drive to Hook Creek Boulevard, along said boulevard to 145th Avenue, along said avenue to the county line, along the county line to Shore Parkway, along said parkway to 81th Street, along said street to 157th Avenue, along said avenue to 87th Street, along said street to 156th Avenue, along said avenue to 92nd Street, along said street to 157th Avenue, along said avenue to 94th Street extended, along said street extended to the center of Shellbank Basin, along the center of said basin to 161st Avenue extended, along said avenue extended to Cross Bay Boulevard, along said boulevard to 162nd Avenue extended, along said avenue extended to the center of Shellbank Basin, along the center of said basin to the center of Grassy Bay, along the center of said bay to the center of Broad Channel, along the center of said channel to the center of Grass Hassock Channel, along the

center of said channel to the center of Head of Bay, along the center of said bay to the center of Thurston Basin, along the center of said basin to 236th Street extended, along said street extended to Rockaway Boulevard, along said boulevard to Brookville Boulevard, along said boulevard to 149th Avenue, along said avenue to 241st Street, along said street to 148th Drive, along said drive to Edgewood Avenue, along said avenue to 147th Avenue, along said avenue to a point where 147th Avenue intersects 253rd Street, the point of beginning.

24. **Twenty-fourth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where Northern Boulevard intersects Cross Island Parkway, thence southeasterly along Cross Island Parkway to Long Island Expressway, along said expressway to 256th Street, along said street to 58th Avenue, along said avenue to Little Neck Parkway, along said parkway to Union Turnpike, along said turnpike to 246th Street, along said street to 80th Road, along said road to Commonwealth Boulevard, along said boulevard to Union Turnpike, along said turnpike to 236th Street, along said street to Seaward Avenue, along said avenue to Winchester Boulevard, along said boulevard to 88th Avenue, along said avenue to Billings Street, along said street to Braddock Avenue, along said avenue to Hillside Avenue, along said avenue to 216th Street, along said street to 89th Avenue, along said avenue to Vanderveer Street, along said street to Hillside Avenue, along said avenue to 214th Street, along said street to Whitehall Terrace, along said terrace to McLaughlin Avenue extended, along said avenue extended to McLaughlin Avenue, along said avenue to Epsom Course, along Epsom Course to Francis Lewis Boulevard, along said boulevard to Whitehall Terrace, along said terrace to 209th Street, along said street to Hillside Avenue, along said avenue to 191st Street, along said street to Haywood Road, along said road to 188th Street, along said street to Hillside Avenue, along said avenue to Kingston Place, along said place to Cedar Croft Road, along said road to Home Lawn Street, along said street to Hillside Avenue, along said avenue to 169th Street, along said street to 88th Avenue, along said avenue to 168th Street, along said street to Hillside Avenue, along said avenue to 167th Street, along said street to Gothic Drive, along said drive to 168th Street, along said street to Grand Central Parkway North Service Road, along said road to 172nd Street, along said street to 82nd Avenue, along said avenue to Utopia Parkway, along said parkway to 80th Drive, along said drive to Kent Street, along said street to Tudor Road, along said road to

Chevy Chase Street, along said street to Aberdeen Road, along said road to 188th Street, along said street to Troon Road, along said road to Haddon Street, along said street to 80th Drive, along said drive to 188th Street, along said street to Union Turnpike, along said turnpike to 178th Street, along said street to 75th Avenue, along said avenue to Utopia Parkway, along said parkway to Fresh Meadow Lane, along said lane to 69th Avenue, along said avenue to Utopia Parkway, along said parkway to 68th Avenue, along said avenue to Fresh Meadow Lane, along said lane to Horace Harding Expressway North, along said expressway to 161st Street, along said street to 59th Avenue, along said avenue to Parsons Boulevard, along said boulevard to Booth Memorial Avenue, along said avenue to Kissena Boulevard, along said boulevard to Rose Avenue, along said avenue to 160th Street, along said street to 46th Avenue, along said avenue to 164th Street, along said street to 43rd Avenue, along said avenue to Northern Boulevard, along said boulevard to Crocheron Avenue, along said avenue to 168th Street, along said street to 35th Avenue, along said avenue to 171st Street, along said street to Crocheron Avenue, along said avenue to 172nd Street, along said street to 35th Avenue, along said avenue to 190th Street, along said street to Crocheron Avenue, along said avenue to 194th Street, along said street to 37th Avenue, along said avenue to 195th Street, along said street to 39th Avenue, along said avenue to Francis Lewis Boulevard, along said boulevard to Northern Boulevard, along said boulevard to Oceania Street, along said street to 45th Road, along said road to 211th street, along said street to 47th Avenue, along said avenue to Springfield Boulevard, along said boulevard to Northern Boulevard, along said boulevard to 220th Street, along said street to 46th Avenue, along said avenue to 223rd Street, along said street to Northern Boulevard, along said boulevard to a point where Northern Boulevard intersects Cross Island Parkway, the point of beginning.

25. **Twenty-fifth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 157th Street intersects 19th Avenue, thence easterly along 19th Avenue to 160th Street, along said street to 23rd Avenue, along said avenue to 207th Street, along said street to 26th Avenue, along said avenue to 27th Avenue, along said avenue to Little Neck Boulevard, along said boulevard to 28th Avenue, along said avenue to 28th Avenue extended, along said avenue extended to the county line, along the county line to 95th Avenue, along said avenue to 222nd Street, along said street to

Jamaica Avenue, along said avenue to 222nd Street, along said street to 94th Avenue, along said avenue to Springfield Boulevard, along said boulevard to 94th Road, along said road to 217th Street, along said street to 94th Avenue, along said avenue to 218th Street, along said street to 93rd Road, along said road to 217th Street, along said street to 92nd Avenue, along said avenue to 216th Street, along said street to Hillside Avenue, along said avenue to Braddock Avenue, along said avenue to Billings Street, along said street to 88th Avenue, along said avenue to Winchester Boulevard, along said boulevard to Seward Avenue, along said avenue to 236th Street, along said street to Union Turnpike, along said turnpike to Commonwealth Boulevard, along said boulevard to 80th Road, along said road to 216th Street, along said street to Union Turnpike, along said turnpike to Little Neck Parkway, along said parkway to 58th Avenue, along said avenue to 256th Street, along said street to Long Island Expressway, along said expressway to Cross Island Parkway, along said parkway to Northern Boulevard, along said boulevard to 223rd Street, along said street to 46th Avenue, along said avenue to 220th Street, along said street to Northern Boulevard, along said boulevard to Springfield Boulevard, along said boulevard to 47th Avenue, along said avenue to 211th Street, along said street to 45th Road, along said road to Oceania Street, along said street to Northern Boulevard, along said boulevard to Francis Lewis Boulevard, along said boulevard to 39th Avenue, along said avenue to 195th Street, along said street to 37th Avenue, along said avenue to 194th Street, along said street to Crocheron Avenue, along said avenue to 190th Street, along said street to 35th Avenue, along said avenue to 172nd Street, along said street to Crocheron Avenue, along said avenue to 171st Street, along said street to 35th Avenue, along said avenue to 168th Street, along said street to Crocheron Avenue, along said avenue to Northern Boulevard, along said boulevard to 43rd Avenue, along said avenue to 164th Street, along said street to 46th Avenue, along said avenue to 159th Street, along said street to 45th Avenue, along said avenue to 160th Street, along said street to 43rd Avenue, along said avenue to 161st Street, along said street to Sanford Avenue, along said avenue to 158th Street, along said street to 43rd Avenue, along said avenue to 156th Street, along said street to Beech Avenue, along said avenue to Murray Street, along said street to Ash Avenue, along said avenue to 149th Place, along said place to Barclay Avenue, along said avenue to 149th Street, along said street to Bayside Avenue, along said avenue to 150th Street, along

said street to 23rd Avenue, along said avenue to Willets Point Boulevard, along said boulevard to 154th Street, along said street to 23rd Avenue, along said avenue to 157th Street, along said street to Clintonville Street, along said street to 20th Avenue, along said avenue to 157th Street, along said street to a point where 157th Street intersects 19th Avenue, the point of beginning.

26. Twenty-sixth district. That part of the county of Queens bounded by a line described as follows: Beginning at a point where Little Neck Boulevard intersects 27th Avenue, thence westerly along 27th Avenue to 26th Avenue, along said avenue to 207th Street, along said street to 23rd Avenue, along said avenue to 160th Street, along said street to 19th Avenue, along said avenue to 157th Street, along said street to 20th Avenue, along said avenue to Clintonville Street, along said street to 157th Street, along said street to 23rd Avenue, along said avenue to 154th Street, along said street to Willets Point Boulevard, along said boulevard to 23rd Avenue, along said avenue to 150th Street, along said street to Bayside Avenue, along said avenue to 149th Street, along said street to Northern Boulevard, along said boulevard to 147th Street, along said street to 35th Avenue, along said avenue to 146th Street, along said street to Northern Boulevard, along said boulevard to Parsons Boulevard, along said boulevard to Franklin Avenue, along said avenue to Bowne Street, along said street to Cherry Avenue, along said avenue to Robinson Street, along said street to 45th Avenue, along said avenue to Union Street, along said street to Holly Avenue, along said avenue to Kissena Boulevard, along said boulevard to 45th Avenue, along said avenue to Colden Street, along said street to Cherry Avenue, along said avenue to Main Street, along said street to Blossom Avenue, along said avenue to Saull Street, along said street to Maple Avenue, along said avenue to College Point Boulevard, along said boulevard to Fowler Avenue, along said avenue to Van Wyck Expressway, along said expressway to College Point Boulevard, along said boulevard to 28th Avenue, along said avenue to 129th Street, along said street to 26th Avenue, along said avenue to 126th Street, along said street to 18th Avenue, along said avenue to 127th Street, along said street to 15th Avenue, along said avenue to 126th Street, along said street to 14th Avenue, along said avenue to College Point Boulevard, along said boulevard to College Place, along said place to 12th Avenue, along said avenue to 121st Street, along said street to 9th Road, along said road to College Place, along said place to 9th Avenue, along said avenue

to 119th Street, along said street to Poppenhusen Avenue, along said avenue to College Place, along said place to College Place extended, along said place extended to the county line, along the county line to 28th Avenue extended, along said avenue extended to 28th Avenue, along said avenue to Little Neck Boulevard, along said boulevard to a point where Little Neck Boulevard intersects 27th Avenue, the point of beginning.

27. **Twenty-seventh district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where Poppenhusen Avenue intersects 119th Street, thence southerly along 119th Street to 9th Avenue, along said avenue to College Place, along said place to 9th Road, along said road to 121st Street, along said street to 12th Avenue, along said avenue to College Place, along said place to College Point Boulevard, along said boulevard to 14th Avenue, along said avenue to 126th Street, along said street to 15th Avenue, along said avenue to 127th Street, along said street to 18th Avenue, along said avenue to 126th Street, along said street to 26th Avenue along said avenue to 129th Street, along said street to 28th Avenue, along said avenue to College Point Boulevard, along said boulevard to Van Wyck Expressway, along said expressway to Fowler Avenue, along said avenue to College Point Boulevard, along said boulevard to Maple Avenue, along said avenue to Saull Street, along said street to Blossom Avenue, along said avenue to Main Street, along said street to Cherry Avenue, along said avenue to Colden Street, along said street to 45th Avenue, along said avenue to Kissena Boulevard, along said boulevard to Holly Avenue, along said avenue to Union Street, along said street to 45th Avenue, along said avenue to Robinson Street, along said street to Cherry Avenue, along said avenue to Bowne Street, along said street to Franklin Avenue, along said avenue to Parsons Boulevard, along said boulevard to Northern Boulevard, along said boulevard to 146th Street, along said street to 35th Avenue, along said avenue to 147th Street, along said street to Northern Boulevard, along said boulevard to 149th Street, along said street to Barclay Avenue, along said avenue to 149th Place, along said place to Ash Avenue, along said avenue to Murray Street, along said street to Beech Avenue, along said avenue to 156th Street, along said street to 43rd Avenue, along said avenue to 158th Street, along said street to Sanford Avenue, along said avenue to 161st Street, along said street to 43rd Avenue, along said avenue to 160th Street, along said street to 45th Avenue, along said avenue to 159th Street, along said street to 46th Avenue, along said avenue to 160th Street, along said street to Rose

Avenue, along said avenue to Kissena Boulevard, along said boulevard to Booth Memorial Avenue, along said avenue to Parsons Boulevard, along said boulevard to 59th Avenue, along said avenue to 161st Street, along said street to Horace Harding Expressway North, along said expressway to Fresh Meadow Lane, along said lane to 68th Avenue, along said avenue to Utopia Parkway, along said parkway to 69th Avenue, along said avenue to Fresh Meadow Lane, along said lane to Utopia Parkway, along said parkway to 75th Avenue, along said avenue to 178th Street, along said street to Union Turnpike, along said turnpike to 188th Street, along said street to 80th Drive, along said drive to Haddon Street, along said street to Troon Road, along said road to 188th Street, along said street to Aberdeen Road, along said road to Chevy Chase Street, along said street to Tudor Road, along said road to Kent Street, along said street to 80th Drive, along said drive to Utopia Parkway, along said parkway to 82nd Avenue, along said avenue to 172nd Street, along said street to Grand Central Parkway North Service Road, along said road to 168th Street, along said street to Gothic Drive, along said drive to 167th Street, along said street to Highland Avenue, along said avenue to 166th Street, along said street to Hillside Avenue, along said avenue to 165th Street, along said street to Highland Avenue, along said avenue to 162nd Street, along said street to Hillside Avenue, along said avenue to 118th Street, along said street to 87th Road, along said road to 144th Street, along said street to Hillside Avenue, along said avenue to 143rd Street, along said street to 87th Drive, along said drive to 139th Street, along said street to 87th Avenue, along said avenue to Queens Boulevard, along said boulevard to 86th Road, along said road to 139th Street, along said street to 86th Avenue, along said avenue to 138th Street, along said street to Van Wyck Expressway East Service Road, along said road to Jamaica Avenue, along said avenue to 132nd Street, along said street to Metropolitan Avenue, along said avenue to 127th Street, along said street to Austin Street, along said street to 84th Road, along said road to Talbot Street, along said street to 84th Avenue, along said avenue to Kew Gardens Road, along said road to Union Turnpike, along said turnpike to Grand Central Parkway, along said parkway to 138th Street, along said street to Coolidge Avenue, along said avenue to 141st Street, along said street to Hoover Avenue, along said avenue to Main Street, along said street to Grand Central Parkway North Service Road, along said road to Parsons Boulevard, along said boulevard to 78th Avenue, along said avenue to 160th Street, along said street to 77th Road, along

said road to 153rd Street, along said street to 77th Avenue, along said avenue to Parsons Boulevard, along said boulevard to 75th Road, along said road to 160th Street, along said street to 75th Avenue, along said avenue to Kissena Boulevard, along said boulevard to Jewel Avenue, along said avenue to 147th Street, along said street to 70th Avenue, along said avenue to Main Street, along said street to 68th Drive, along said drive to 136th Street, along said street to Park Drive East, along Park Drive East to Van Wyck Expressway, along said expressway to Jewel Avenue, along said avenue to 69th Road, along said road to Grand Central Parkway, along said parkway to Long Island Expressway, along said expressway to 108th Street, along said street to Waldron Street, along said street to Sautell Avenue, along said avenue to 111th Street, along said street to 44th Avenue, along said avenue to 114th Street, along said street to 43rd Avenue extended, along said avenue extended to Grand Central Parkway, along said parkway to Astoria Boulevard, along said boulevard to 126th Street extended, along said street extended to the center of Flushing Bay, along the center line, along the county line to College Place extended, along said place extended to College Place, along said place to Poppenhusen Avenue along said avenue to a point where Poppenhusen Avenue intersects 119th Street, the point of beginning.

28. **Twenty-eighth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 68th Drive intersects Main Street, thence southerly along Main Street to 70th Avenue, along said avenue to 147th Street, along said street to Jewel Avenue, along said avenue to Kissena Boulevard, along said boulevard to 75th Avenue, along said avenue to 160th Street, along said street to 75th Road, along said road to Parsons Boulevard, along said boulevard to 77th Avenue, along said avenue to 153rd Street, along said street to 77th Road, along said road to 160th Street, along said street to 78th Avenue, along said avenue to Parsons Boulevard, along said boulevard to Grand Central Parkway North Service Road, along said road to Main Street, along said street to Hoover Avenue, along said avenue to 141st Street, along said street to Coolidge Avenue, along said avenue to 138th Street, along said street to Grand Central Parkway, along said parkway to Union Turnpike, along said turnpike to Kew Gardens Road, along said road to 84th Avenue, along said avenue to Talbot Street, along said street to Lefferts Boulevard, along said boulevard to Grenfell Street, along said street to 83rd Avenue, along said avenue to Beverly Road, along said road to Lefferts Boulevard, along said

boulevard to Abingdon Road, along said road to Park Lane South, along Park Lane South to Park Lane, along said lane to Union Turnpike, along said turnpike to Burns Street, along said street to Upshaw road, along said road to Markwood Place, along said place to Greenway North, along Greenway North to 75th Road, along said road to Ingram Street, along said street to Ascan Avenue, along said avenue to Juno Street, along said street to 71st Avenue, along said avenue to Harrow Street, along said street to 69th Avenue, along said avenue to Kessel Street, along said street to 68th Avenue, along said avenue to Loubet Street, along said street to 69th Avenue, along said avenue to Manse Street, along said street to 68th Avenue, along said avenue to Selfridge Street, along said street to Nansen Street, along said street to 69th Avenue, along said avenue to Metropolitan Avenue, along said avenue to Trotting Course Lane, along said lane to Woodhaven Boulevard, along said boulevard to 64th Road, along said road to Fitchett Street, along said street to 63rd Drive, along said drive to Everton Street, along said street to Dana Court, along said court to 84th Place, along said place to Penelope Avenue, along said avenue to Dry Harbor Road, along said road to Juniper Boulevard South, along said boulevard to 80th Street, along said street to Juniper Boulevard North, along Juniper Boulevard North to 82nd Street, along said street to 62nd Avenue, along said avenue to 81st Street, along said street to Eliot Avenue, along said avenue to 76th Street, along said street to Caldwell Avenue, along said avenue to 74th Street, along said street to 58th Avenue, along said avenue to Long Island Expressway, along said expressway to 69th Street, along said street to Horace Harding Expressway North, along said expressway to 74th Street, along said street to Grand Avenue, along said avenue to 82nd Street, along said street to Ankener Avenue, along said avenue to Calamus Avenue, along said avenue to Grand Avenue, along said avenue to Simonson Street, along said street to Queens Boulevard, along said boulevard to Woodhaven Boulevard, along said boulevard to Alderton Street, along said street to 63rd Avenue, along said avenue to Austin Street, along said street to 63rd Drive, along said drive to Wetherole Street, along said street to 64th Road, along said road to Booth Street, along said street to 67th Drive, along said drive to Queens Boulevard, along said boulevard to 64th Avenue, along said avenue to 98th Street, along said street to 64th Road, along said road to 99th Street, along said street to 63rd Road, along said road to 102nd Street, along said street to 64th Road, along said road to Yellowstone Boulevard, along said boulevard

to 66th Avenue, along said avenue to 110th Street, along said street to 66th Road, along said road to 112th Street, along said street to Peartree Avenue, along said avenue to 69th Road, along said road to Jewel Avenue, along said avenue to Van Wyck Expressway, along said expressway to Park Drive East, along Park Drive East to 136th Street, along said street to 68th Drive, along said drive to a point where 68th Drive intersects Main Street, the point of beginning.

29. **Twenty-ninth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 90th Avenue intersects 209th Street, thence southerly along 209th Street to 94th Avenue, along said avenue to Francis Lewis Boulevard, along said boulevard to 99th Avenue, along said avenue to 208th Street, along said street to Hollis Avenue, along said avenue to Francis Lewis Boulevard, along said boulevard to 116th Avenue, along said avenue to Nashville Boulevard, along said boulevard to 210th Street, along said street to 115th Avenue, along said avenue to Springfield Boulevard, along said boulevard to 121st Avenue, along said avenue to the county line, along the county line to 145th Avenue, along said avenue to Hook Creek Boulevard, along said boulevard to 147th Drive, along said drive to Francis Lewis Boulevard, along said boulevard to 147th Road, along said road to 253rd Street, along said street to 147th Avenue, along said avenue to Edgewood Avenue, along said avenue to 148th Drive, along said drive to 211st Street, along said street to 149th Avenue, along said avenue to Brookville Boulevard, along said boulevard to Bentley Road, along said road to 235th Street extended, along said street extended to 235th Street, along said street to 147th Road, along said road to Brookville Boulevard, along said boulevard to 147th Avenue, along said avenue to 232nd Street, along said street to South Conduit Avenue, along said avenue to Farmers Boulevard, along said boulevard to Bedell Street, along said street to Baisley Boulevard, along said boulevard to 166th Street, along said street to 120th Avenue, along said avenue to 165th Street, along said street to 119th Avenue, along said avenue to 164th Street, along said street to Foch Boulevard, along said boulevard to 157th Street, along said street to 116th Avenue, along said avenue to New York Boulevard, along said boulevard to 109th Avenue, along said avenue to Merrick Boulevard, along said boulevard to 107th Avenue, along said avenue to 173rd Street, along said street to 106th Avenue, along said avenue to 177th Street, along said street to Jamaica Avenue, along said avenue to 175th Street, along said street to 90th Avenue, along said avenue to

181st Street, along said street to Jamaica Avenue, along said avenue to Hollis Avenue, along said avenue to 99th Avenue, along said avenue to 202nd Street, along said street to Jamaica Avenue, along said avenue to 201st Street, along said street to 93rd Avenue, along said avenue to 199th Street, along said street to 90th Avenue, along said avenue to a point where 90th Avenue intersects 209th Street, the point of beginning.

30. **Thirtieth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where Roosevelt Avenue intersects 83rd Street, thence southerly on 83rd Street to Baxter Avenue, along said avenue to Hampton Street, along said street to Lamont Avenue, along said avenue to 43rd Avenue, along said avenue to Junction Boulevard, along said boulevard to 44th Avenue, along said avenue to 98th Street extended, along said street extended to 45th Avenue, along said avenue to Junction Boulevard, along said boulevard to 46th Avenue, along said avenue to Corona Avenue, along said avenue to 97th Street, along said street to 50th Avenue, along said avenue to 97th Place, along said place to 57th Avenue, along said avenue to Junction Boulevard, along said boulevard to Horace Harding Expressway North, along said expressway to 108th Street, along said street to Long Island Expressway, along said expressway to Grand Central Parkway, along said parkway to 69th Road, along said road to Peartree Avenue, along said avenue to 112th Street, along said street to 66th Road, along said road to 110th Street, along said street to 66th Avenue, along said avenue to Yellowstone Boulevard, along said boulevard to 64th Road, along said road to 102nd Street, along said street to 63rd Road, along said road to 99th Street, along said street to 64th Road, along said road to 98th Street, along said street to 64th Avenue, along said avenue to Queens Boulevard, along said boulevard to 67th Drive, along said drive to Booth Street, along said street to 64th Road, along said road to Wetherole Street, long said street to 63rd Drive, along said drive to Austin Street, along said street to 63rd Avenue, along said avenue to Alderton Street, along said street to Woodhaven Boulevard, along said boulevard to Queens Boulevard, along said boulevard to Simonson Street, along said street to Grand Avenue, along said avenue to Calamus Avenue, along said avenue to Ankener Avenue, along said avenue to 82nd Street, along said street to Grand Avenue, along said avenue to 74th Street, along said street to Horace Harding Expressway North, along said expressway to 69th Lane, along said lane to Grand Avenue, along said avenue to 69th Place, along said place to 54th Avenue, along said avenue to 69th Street, along said

street to Jay Avenue, along said avenue to 54th Avenue, along said avenue to 66th Street, along said street to 53rd Drive, along said drive to 62nd Street, along said street to 65th Place, along said place to Maurice Avenue, along said avenue to Tyler Avenue, along said avenue to 51st Avenue, along said avenue to 61st Street, along said street to 50th Avenue, along said avenue to Brooklyn Queens Expressway, along said expressway to 58th Place, along said place to 52nd Avenue, along said avenue to 58th Street, along said street to Brooklyn Queens Expressway, along said expressway to 48th Street, along said street to 50th Avenue, along said avenue to 49th Street, along said street to 48th Avenue, along said avenue to 48th Street, along said street to 47th Avenue, along said avenue to 49th Street, along said street to Queens Boulevard, along said boulevard to 48th Street, along said street to 43rd Avenue, along said avenue to Roosevelt Avenue, along said avenue to 56th Street, along said street to 43rd Avenue, along said avenue to 62nd Street, along said street to Woodside Avenue, along said avenue to 65th Street, along said street to 38th Avenue, along said avenue to 69th Street, along said street to 37th Road, along said road to Brooklyn Queens Expressway, along said expressway to Roosevelt Avenue, along said avenue to 72nd Street, along said street to Broadway, along Broadway to 37th Road, along said road to 76th Street, along said street to Roosevelt Avenue, along said avenue to a point where Roosevelt Avenue intersects 83rd Street, the point of beginning.

31. **Thirty-first district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 69th Avenue intersects Harrow Street, thence southeasterly along Harrow Street to 71st Avenue, along said avenue to Juno Street, along said street to Ascan Avenue, along said avenue to Ingram Street, along said street to 75th Road, along said road to Greenway North, along Greenway North to Markwood Place, along said place to Upshaw Road, along said road to Burns Street, along said street to Union Turnpike, along said turnpike to Park Lane, along said lane to Park Lane South, along said Park Lane South to Abingdon Road, along said road to Lefferts Boulevard, along said boulevard to Beverly Road, along said road to 83rd Avenue, along said avenue to Grenfell Street, along said street to Lefferts Boulevard, along said boulevard to Talbot Street, along said street to 84th Road, along said road to Austin Street, along said street to 127th Street, along said street to Metropolitan Avenue, along said avenue to 132nd Street, along said street to Jamaica Avenue, along said avenue to

Van Wyck Expressway East Service Road, along said road to Atlantic Avenue, along said avenue to 133rd Street, along said street to 101st Avenue, along said avenue to 131st Street, along said street to 103rd Avenue, along said avenue to 125th Street, along said street to 109th Avenue, along said avenue to 125th Street, along said street to 115th Avenue, along said avenue to 124th Street, along said street to 116th Avenue, along said avenue to 125th Street, along said street to Rockaway Boulevard, along said boulevard to 123rd Street, along said street to 135th Avenue, along said avenue to 114th Street, along said street to 114th Street extended, along said street extended to South Conduit Avenue, along said avenue to 84th Street extended, along said street extended to 84th Street, along said street to 108th Avenue, along said avenue to 86th Street, along said street to Liberty Avenue, along said avenue to 92nd Street, along said street to Rockaway Boulevard, along said boulevard to Woodhaven Boulevard, along said boulevard to Myrtle Avenue, along said avenue to Union Turnpike, along said turnpike to 88th Street, along said street to 79th Avenue, along said avenue to Woodhaven Boulevard, along said boulevard to 78th Avenue, along said avenue to 88th Street, along said street to Doran Avenue, along said avenue to 84th Street, along said street to Cooper Avenue, along said avenue to Trotting Course Lane, along said lane to Metropolitan Avenue, along said avenue to 69th Avenue, along said avenue to Nansen Street, along said street to Selfridge Street, along said street to 68th Avenue, along said avenue to Manse Street, along said street to 69th Avenue, along said avenue to Loubet Street, along said street to 68th Avenue, along said avenue to Kessel Street, along said street to 69th Avenue, along said avenue to a point where 69th Avenue intersects Harrow Street, the point of beginning.

32. **Thirty-second district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 108th Avenue intersects Union Hall Street, thence southerly along Union Hall Street to 109th Avenue, along said avenue to New York Boulevard, along said boulevard to 116th Avenue, along said avenue to 157th Street, along said street to Foch Boulevard, along said boulevard to 164th Street, along said street to 119th Avenue, along said avenue to 165th Street, along said street to 120th Avenue, along said avenue to 166th Street, along said street to Baisley Boulevard, along said boulevard to Bedell Street, along said street to Farmers Boulevard, along said boulevard to South Conduit Avenue, along said avenue to 232nd Street, along said street to 147th Avenue, along said avenue to

Brookville Boulevard, along said boulevard to 147th Road, along said road to 235th Street, along said street to 235th Street extended, along said street extended to Bentley Road, along said road to Brookville Boulevard, along said boulevard to Rockaway Boulevard, along said boulevard to 236th Street extended, along said street extended to the center of Thurston Basin, along the center of Thurston Basin to the center of Head of Bay, along the center of Head of Bay to the center of Grass Hassock Channel, along the center of Grass Hassock Channel to the center of Broad Channel, along the center of Broad Channel to the center of Grassy Bay, along the center of Grassy Bay to the center of Shellbank Basin, along the center of Shellbank Basin to 162nd Avenue extended, along said avenue extended to Cross Bay Boulevard, along said boulevard to 161st Avenue extended, along said avenue extended to the center of Shellbank Basin, along the center of Shellbank Basin to 94th Street extended, along said street extended to 157th Avenue, along said avenue to 92nd Street, along said street to 156th Avenue, along said avenue to 87th Street, along said street to 157th Avenue, along said avenue to 84th Street, along said street to Shore Parkway, along said parkway to the county line, along the county line to Linden Boulevard, along said boulevard to South Conduit Avenue, along said avenue to 114th Street extended, along said street extended to 114th Street, along said street to 135th Avenue, along said avenue to 123rd Street, along said street to Rockaway Boulevard, along said boulevard to 125th Street, along said street to 116th Avenue, along said avenue to 124th Street, along said street to 115th Avenue, along said avenue to 125th Street, along said street to 109th Avenue, along said avenue to 125th Street, along said street to 103rd Avenue, along said avenue to Liberty Avenue, along said avenue to Pinegrove Street, along said street to 106th Avenue, along said avenue to Inwood Street, along said street to Arlington Terrace, along said terrace to Sutphin Boulevard, along said boulevard to 108th Avenue, along said avenue to 155th Street, along said street to 109th Avenue, along said avenue to 157th Street, along said street to 108th Avenue, along said avenue to a point were 108th Avenue intersects Union Hall Street, the point of beginning.

33. **Thirty-third district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 89th Avenue intersects 216th Street, thence southerly along 216th Street to 92nd Avenue, along said avenue to 217th Street, along said street to 93rd Road, along said road to 218th Street, along said street to 94th Avenue, along said avenue to

217th Street, along said street to 94th Road, along said road to Springfield Boulevard, along said boulevard to 94th Avenue, along said avenue to 222nd Street, along said street to Jamaica Avenue, along said avenue to 222nd Street, along said street to 95th Avenue, along said avenue to the county line, along the county line to 121st Avenue, along said avenue to Springfield Boulevard, along said boulevard to 115th Avenue, along said avenue to 210th Street, along said street to Nashville Boulevard, along said boulevard to 116th Avenue, along said avenue to Francis Lewis Boulevard, along said boulevard to Hollis Avenue, along said avenue to 208th Street, along said street to 99th Avenue, along said avenue to Francis Lewis Boulevard, along said boulevard to 94th Avenue, along said avenue to 209th Street, along said street to 90th avenue, along said avenue to 199th Street, along said street to 93rd Avenue, along said avenue to 201st Street, along said street to Jamaica Avenue, along said avenue to 202nd Street, along said street to 99th Avenue, along said avenue to Hollis Avenue, along said avenue to Jamaica Avenue, along said avenue to 181st Street, along said street to 90th Avenue, along said avenue to 178th Street, along said street to 90th Avenue, along said avenue to 175th Street, along said street to Jamaica Avenue, along said avenue to 177th Street, along said street to 106th Avenue, along said avenue to 173rd Street, along said street to 107th Avenue, along said avenue to Merrick Boulevard, along said boulevard to 109th Avenue, along said avenue to Union Hall Street, along said street to 108th Avenue, along said avenue to 157th Street, along said street to 109th Avenue, along said avenue to 155th Street, along said street to 108th Avenue, along said avenue to Sutphin Boulevard, along said boulevard to Arlington Terrace, along said terrace to Inwood Street, along said street to 106th Avenue, along said avenue to Pinegrove Street, along said street to Liberty Avenue, along said avenue to 103rd Avenue, along said avenue to 131st Street, along said street to 101st Avenue, along said avenue to 133rd Street, along said street to Atlantic Avenue, along said avenue to Van Wyck Expressway East Service Road, along said road to 138th Street, along said street to 86th Avenue, along said avenue to 139th Street, along said street to 86th Road, along said road to Queens Boulevard, along said boulevard to 87th Avenue, along said avenue to 139th Street, along said street to 87th Drive, along said drive to 143rd Street, along said street to Hillside Avenue, along said avenue to 144th Street, along said street to 87th Road, along said road to 148th Street, along said street to Hillside Avenue, along said avenue to 162nd Street, along said street to

Highland Avenue, along said avenue to 165th Street, along said street to Hillside Avenue, along said avenue to 166th Street, along said street to Highland Avenue, along said avenue to 167th Street, along said street to Hillside Avenue, along said avenue to 168th Street, along said street to 88th Avenue, along said avenue to 169th Street, along said street to Hillside Avenue, along said avenue to Home Lawn Street, along said street to Cedar Croft Road, along said road to Kingston Place, along said place to Hillside Avenue, along said avenue to 188th Street, along said street to Haywood Road, along said road to 191st Street, along said street to Hillside Avenue, along said avenue to 209th Street, along said street to Whitehall Terrace, along said terrace to Francis Lewis Boulevard, along said boulevard to Epsom Course, along Epsom Course to McLaughlin Avenue, along said avenue to McLaughlin Avenue extended, along said avenue extended to Whitehall Terrace, along said terrace to 214th Street, along said street to Hillside Avenue, along said avenue to Vanderveer Street, along said street to 89th Avenue, along said avenue to a point where 89th Avenue intersects 216th Street, the point of beginning.

34. **Thirty-fourth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 84th Street intersects 25th Avenue, thence easterly along 25th Avenue to 88th Street, along said street to 30th Avenue, along said avenue to 91st Street, along said street to 32nd Avenue, along said avenue to 92nd Street, along said street to Northern Boulevard, along said boulevard to Junction Boulevard, along said boulevard to 34th Avenue, along said avenue to 94th Street, along said street to 35th Avenue, along said avenue to 86th Street, along said street to 37th Avenue, along said avenue to 79th Street, along said street to Roosevelt Avenue, along said avenue to 76th Street, along said street to 37th Road, along said road to Broadway, along Broadway to 72nd Street, along said street to Roosevelt Avenue, along said avenue to Brooklyn Queens Expressway, along said expressway to 37th Road, along said road to 69th Street, along said street to 38th Avenue, along said avenue to 65th Street, along said street to Woodside Avenue, along said avenue to 62nd Street, along said street to 43rd Avenue, along said avenue to 56th Street, along said street to Roosevelt Avenue, along said avenue to 43rd Avenue, along said avenue to 49th Street, along said street to Skillman Avenue, along said avenue to 52nd Street, along said street to 39th Avenue, along said avenue to 52nd Street, along said street to Barnett Avenue, along said avenue to Woodside Avenue, along said

avenue to Northern Boulevard, along said boulevard to 49th Street, along said street to Broadway, along Broadway to 48th Street, along said street to 31st Avenue, along said avenue to 47th Street, along said street to 30th Avenue, along said avenue to 49th Street, along said street to 28th Avenue, along said avenue to 36th Street, along said street to Astoria Boulevard South, along Astoria Boulevard South to 35th Street, along said street to Astoria Boulevard North, along Astoria Boulevard North to 41st Street, along said street to 23rd Road, along said road to Steinway Street, along said street to 21st Avenue, along said avenue to 42nd Street, along said street to 20th Road, along said road to Steinway Street, along said street to 20th Avenue, along said avenue to 41st Street, along said street to 19th Avenue, along said avenue to Steinway Street, along said street to Steinway Street extended, along said street extended to the county line, along the county line to 90th Street extended, along said street extended to Ditmars Boulevard, along said boulevard to 23rd Avenue, along said avenue to 82nd Street, along said street to Astoria Boulevard, along said boulevard to 84th Street, along said street to a point where 84th Street intersects 25th Avenue, the point of beginning.

35. **Thirty-fifth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 44th Avenue intersects 111th Street, thence southerly along said street to Sautell Avenue, along said avenue to Waldron Street, along said street to 108th Street, along said street to Horace Harding Expressway North, along said expressway to Junction Boulevard, along said boulevard to 57th Avenue, along said avenue to 97th Place, along said place to 50th Avenue, along said avenue to 97th Street, along said street to Corona Avenue, along said avenue to 46th Avenue, along said avenue to Junction Boulevard, along said boulevard to 45th Avenue, along said avenue to 98th Street, along said street to 98th Street extended, along said street extended to 44th Avenue, along said avenue to Junction Boulevard, along said boulevard to 43rd Avenue, along said avenue to Lamont Avenue, along said avenue to Hampton Street, along said street to Baxter Avenue, along said avenue to Roosevelt Avenue, along said avenue to 79th Street, along said street to 37th Avenue, along said avenue to 86th Street, along said street to 35th Avenue, along said avenue to 94th Street, along said street to 34th Avenue, along said avenue to Junction Boulevard, along said boulevard to Northern Boulevard, along said boulevard to 92nd Street, along said street to 32nd Avenue, along said avenue to 91st Street, along said street to 30th Ave-

nue, along said avenue to 88th Street, along said street to 25th Avenue, along said avenue to 84th Street, along said street to Astoria Boulevard, along said boulevard to 82nd Street, along said street to 23rd Avenue, along said avenue to Ditmars Boulevard, along said boulevard to 90th Street, along said street to 90th Street extended, along said street extended to the county line, along the county line to 126th Street extended, along said street extended to 126th Street, along said street to Northern Boulevard, along said boulevard to Grand Central Parkway, along said parkway to 43rd Avenue extended, along said avenue extended to 114th Street, along said street to 44th Avenue, along said avenue to a point where 44th Avenue intersects 111th Street, the point of beginning.

36. **Thirty-sixth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where Steinway Street intersects 19th Avenue, thence easterly along 19th Avenue to 41st Street, along said street to 20th Avenue, along said avenue to Steinway Street, along said street to 20th Road, along said road to 42nd Street, along said street to 21st Avenue, along said avenue to Steinway Street, along said street to 23rd Road, along said road to 41st Street, along said street to Astoria Boulevard North, along Astoria Boulevard North to 35th Street, along said street to Astoria Boulevard South, along Astoria Boulevard South to 36th Street, along said street to 28th Avenue, along said avenue to 49th Street, along said street to 30th Avenue, along said avenue to 47th Street, along said street to 31st Avenue, along said avenue to 48th Street, along said street to Broadway, along Broadway to 49th Street, along said street to Northern Boulevard, along said boulevard to 45th Street, along said street to 34th Avenue, along said avenue to 42nd Street, along said street to Broadway, along Broadway to 29th Street, along said street to 34th Avenue, along said avenue to 28th Street, along said street to 36th Avenue, along said avenue to 21st Street, along said street to 37th Avenue, along said avenue to 14th Street, along said street to 36th Avenue, along said avenue to 13th Street, along said street to 40th Avenue, along said avenue to Vernon Boulevard, along said boulevard to Queens Plaza South, along Queens Plaza South to 21st Street, along said street to Jackson Avenue, along said avenue to 47th Road, along said road to 21st Street, along said street to Midtown Tunnel Plaza, along Midtown Tunnel Plaza to 11th Street, along said street to the Pulaski Bridge, along said bridge to the county line, along the county line to Steinway Street extended, along Steinway Street extended to Steinway

Street, along said street to a point where Steinway Street intersects 19th Avenue, the point of beginning.

37. **Thirty-seventh district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where 29th Street intersects Broadway, thence easterly along Broadway to 42nd Street, along said street to 34th Avenue, along said avenue to 45th Street, along said street to Northern Boulevard, along said boulevard to Woodside Avenue, along said avenue to Barnett Avenue, along said avenue to 52nd Street, along said street to 39th Avenue, along said avenue to 52nd Street, along said street to Skillman Avenue, along said avenue to 49th Street, along said street to 43rd Avenue, along said avenue to 48th Street, along said street to Queens Boulevard, along said boulevard to 49th Street, along said street to 47th Avenue, along said avenue to 48th Street, along said street to 48th Avenue, along said avenue to 49th Street, along said street to 50th Avenue, along said avenue to 48th Street, along said street to Brooklyn Queens Expressway, along said expressway to 47th Street, along said street to 51st Road, along said road to 46th Street, along said street to Queens Midtown Expressway, along said expressway to 58th Street, along said street to 56th Drive, along said drive to 56th Road, along said road to Rust Street, along said street to 59th Drive, along said drive to 60th Street, along said street to Metropolitan Avenue, along said avenue to Fresh Pond Road, along said road to Menahan Street, along said street to Traffic Avenue, along said avenue to Woodbine Street, along said street to 64th Street, along said street to Madison Street, along said street to Fresh Pond Road, along said road to 67th Avenue extended, along said avenue to 62nd Street, along said street to 68th Avenue, along said avenue to 64th Street, along said street to Shaler Avenue, along said avenue to Cypress Hills Street, along said street to Central Avenue, along said avenue to Myrtle Avenue, along said avenue to Cypress Avenue, along said avenue to Putnam Avenue, along said avenue to Myrtle Avenue, along said avenue to St. Nicholas Avenue, along said avenue to the county line, along the county line to the Pulaski Bridge, along said bridge to 11th street, along said street to Midtown Tunnel Plaza, along Midtown Tunnel Plaza to 21st Street, along said street to 47th Road, along said road to Jackson Avenue, along said avenue to 21st Street, along said street to Queens Plaza South, along said plaza to Vernon Boulevard, along said boulevard to 40th Avenue, along said avenue to 13th Street, along said street to 36th Avenue, along said avenue to 14th Street, along said street to 37th Avenue, along said avenue

to 21st Street, along said street to 36th Avenue, along said avenue to 28th Street, along said street to 34th Avenue, along said avenue to 29th Street, along said street to a point where 29th Street intersects Broadway, the point of beginning.

38. **Thirty-eighth district.** That part of the county of Queens bounded by a line described as follows: Beginning at a point where Eliot Avenue intersects 81st Street, thence southeasterly along 81st Street to 62nd Avenue, along said avenue to 82nd Street, along said street to Juniper Boulevard North, along said boulevard to 80th Street, along said street to Juniper Boulevard South, along said boulevard to Dry Harbor Road, along said road to Penelope Avenue, along said avenue to 81th Place, along said place to Dana Court, along said court to Woodhaven Boulevard, along said boulevard to Everton Street, along said street to 63rd Drive, along said drive to Fitchett Street, along said street to 64th Road, along said road to Woodhaven Boulevard, along said boulevard to Cooper Avenue, along said avenue to 84th Street, along said street to Doran Avenue, along said avenue to 88th Street, along said street to 78th Avenue, along said avenue to Woodhaven Boulevard, along said boulevard to 79th Avenue, along said avenue to 88th Street, along said street to Union Turnpike, along said turnpike to Myrtle Avenue, along said avenue to Woodhaven Boulevard, along said boulevard to Rockaway Boulevard, along said boulevard to 92nd Street, along said street to Liberty Avenue, along said avenue to 86th Street, along said street to 108th Avenue, along said avenue to 84th Street, along said street to 84th Street extended, along said street extended to Linden Boulevard, along said boulevard to the county line, along the county line to St. Nicholas Avenue, along said avenue to Myrtle Avenue, along said avenue to Putnam Avenue, along said avenue to Cypress Avenue, along said avenue to Myrtle Avenue, along said avenue to Central Avenue, along said avenue to Cypress Hills Street, along said street to Shaler Avenue, along said avenue to 61th Street, along said street to 68th Avenue, along said avenue to 62nd Street, along said street to 67th Avenue extended, along said avenue extended to Fresh Pond Road, along said road to Madison Street, along said street to 64th Street, along said street to Woodbine Street, along said street to Traffic Avenue, along said avenue to Menhan Street, along said street to Fresh Pond Road, along said road to Metropolitan Avenue, along said avenue to 60th Street, along said street to 59th Drive, along said drive to Rust Street, along said street to 56th Road, along said road to 56th Drive, along said drive to 58th Street, along said street to Queens Midtown Expressway, along said express-

way to 46th Street, along said street to 51st Road, along said road to 47th Street, along said street to Brooklyn-Queens Expressway, along said expressway to 58th Street, along said street to 52nd Avenue, along said avenue to 58th Place, along said place to Brooklyn-Queens Expressway, along said expressway to 50th Avenue, along said avenue to 61st Street, along said street to 51st Avenue, along said avenue to Tyler Avenue, along said avenue to Maurice Avenue, along said avenue to 65th Place, along said place to 62nd Street, along said street to 53rd Drive, along said drive to 66th Street, along said street to 54th Avenue, along said avenue to Jay Avenue, along said avenue to 69th Street, along said street to 54th Avenue, along said avenue to 69th Place, along said place to Grand Avenue, along said avenue to 69th Lane, along said lane to Horace Harding Expressway North, along said expressway to 69th Street, along said street to Long Island Expressway, along said expressway to 58th Avenue, along said avenue to 74th Street, along said street to Caldwell Avenue, along said avenue to 76th Street, along said street to Eliot Avenue, along said avenue to a point where Eliot Avenue intersects 81st Street, the point of beginning.

39. **Thirty-ninth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Mill Road intersects Crescent Street, thence southerly along Crescent Street to Flatlands Avenue, along said avenue to Sheridan Avenue extended, along said avenue extended to the county line, along the county line to the Marine Parkway Bridge, along said bridge to Flatbush Avenue, along said avenue to Avenue U, along said avenue to East 52nd Street, along said street to Avenue T, along said avenue to East 52nd Street, along said street to Avenue S, along said avenue to East 53rd Street, along said street to Avenue T, along said avenue to East 55th Street, along said street to Fillmore Avenue, along said avenue to East 54th Street, along said street to Avenue O, along said avenue to East 52nd Street, along said street to Avenue N, along said avenue to Utica Avenue, along said avenue to Avenue M, along said avenue to East 49th Street, along said street to Avenue L, along said avenue to East 55th Street, along said street to Flatlands Avenue, along said avenue to Ralph Avenue, along said avenue to Farragut Road, along said road to East 78th Street, along said street to Glenwood Road, along said road to East 85th Street, along said street to Farragut Road, along said road to East 84th Street, along said street to Foster Avenue, along said avenue to East 92nd Street, along said street to Avenue D, along said avenue to East 94th Street, along said street to

Ditmas Avenue, along said avenue to Rockaway Avenue, along said avenue to Avenue D, along said avenue to Van Sinderen Avenue, along said avenue to Linden Boulevard, along said boulevard to Alabama Avenue, along said avenue to Stanley Avenue, along said avenue to Pennsylvania Avenue, along said avenue to Wortman Avenue, along said avenue to Sheffield Avenue, along said avenue to Cozine Avenue, along said avenue to Pennsylvania Avenue, along said avenue to Flatlands Avenue, along said avenue to Flatlands Avenue connected, along said avenue connected to Flatlands Avenue, along said avenue to Fountain Avenue, along said avenue to Mill Road, along said road to a point where Mill Road intersects Crescent Street, the point of beginning.

40. **Fortieth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Sheridan Avenue intersects Flatlands Avenue, thence westerly along Flatlands Avenue to Crescent Street, along said street to Mill Road, along said road to Fountain Avenue, along said avenue to Flatlands Avenue, along said avenue to Flatlands Avenue connected, along said avenue connected to Flatlands Avenue, along said avenue to Pennsylvania Avenue, along said avenue to Cozine Avenue, along said avenue to Sheffield Avenue, along said avenue to Wortman Avenue, along said avenue to Pennsylvania Avenue, along said avenue to Stanley Avenue, along said avenue to Alabama Avenue, along said avenue to Linden Boulevard, along said boulevard to Van Sinderen Avenue, along said avenue to Avenue D, along said avenue to Rockaway Avenue, along said avenue to Ditmas Avenue, along said avenue to East 93rd Street, along said street to Avenue B, along said avenue to East 94th Street, along said street to Avenue A, along said avenue to East 91st Street, along said street to Church Avenue, along said avenue to East 59th Street, along said street to Snyder Avenue, along said avenue to Ralph Avenue, along said avenue to Tilden Avenue, along said avenue to East 57th Street, along said street to Kings Highway, along said highway to East 56th Street, along said street to Clarkson Avenue, along said avenue to East 55th Street, along said street to Remsen avenue, along said avenue to Winthrop Street, along said street to East 92nd Street, along said street to Clarkson Avenue, along said avenue to Rockaway Parkway, along said parkway to Rutland Road, along said road to East 98th Street, along said street to Livonia Avenue, along said avenue to Bristol Street, along said street to Dumont Avenue, along said avenue to Stone Avenue, along said avenue to Belmont Avenue, along said avenue to Christopher Avenue, along said avenue to Sutter Avenue,

along said avenue to Sheffield Avenue, along said avenue to Riverdale Avenue, along said avenue to Vermont Avenue, along said avenue to Dumont Avenue, along said avenue to Miller Avenue, along said avenue to Sutter Avenue, along said avenue to Warwick Street, along said street to Blake Avenue, along said avenue to Ashford Street, along said street to Sutter Avenue, along said avenue to Essex Street, along said street to Blake Avenue, along said avenue to Shepherd Avenue, along said avenue to Sutter Avenue, along said avenue to Atkins Avenue, along said avenue to Blake Avenue, along said avenue to Montauk Avenue, along said avenue to Sutter Avenue, along said avenue to Euclid Avenue, along said avenue to Dumont Avenue, along said avenue to Hemlock Street, along said street to Blake Avenue, along said avenue to Lincoln Avenue, along said avenue to Sutter Avenue, along said avenue to Eldert Lane, along said lane to Dumont Avenue, along said avenue to 78th Street, along said street to the county line, along said county line in a southerly and southwesterly direction to a point where the county line intersects Sheridan Avenue extended, along said avenue extended to Sheridan Avenue, along said avenue to a point where Sheridan Avenue intersects Flatlands Avenue, the point of beginning.

41. Forty-first district. That part of the county of Kings bounded by a line described as follows: Beginning at a point where Church Avenue intersects East 91st Street, thence southeasterly along East 91st Street to Avenue A, along said avenue to East 94th Street, along said street to Avenue B, along said avenue to East 93rd Street, along said street to Ditmas Avenue, along said avenue to East 94th Street, along said street to Avenue D, along said avenue to East 92nd Street, along said street to Foster Avenue, along said avenue to East 84th Street, along said street to Farragut Road, along said road to East 85th Street, along said street to Glenwood Road, along said road to East 78th Street, along said street to Farragut Road, along said road to Ralph Avenue, along said avenue to Flatlands Avenue, along said avenue to East 55th Street, along said street to Avenue L, along said avenue to East 49th Street, along said street to Avenue M, along said avenue to Utica Avenue, along said avenue to Avenue N, along said avenue to East 52nd Street, along said street to Avenue O, along said avenue to East 54th Street, along said street to Fillmore Avenue, along said avenue to East 55th Street, along said street to Avenue T, along said avenue to East 53rd Street, along said street to Avenue S, along said avenue to Flatbush Avenue, along said avenue to Avenue R, along said avenue to Hendrickson Street, along said street to Quentin Road, along said

road to East 45th Street, along said street to Avenue N, along said avenue to Flatbush Avenue, along said avenue to Avenue P, along said avenue to Coleman Street, along said street to Quentin Road, along said road to Ryder Street, along said street to Avenue R, along said avenue to East 38th Street, along said street to Avenue U, along said avenue to Burnett Street, along said street to Avenue X, along said avenue to Gerritsen Avenue, along said avenue to Alien Avenue, along said avenue to Knapp Street, along said street to Avenue X, along said avenue to Nostrand Avenue, along said avenue to Avenue Y, along said avenue to Batchelder Street, along said street to Avenue Z, along said avenue to Brown Street, along said street to Voorhies Avenue, along said avenue to Haring Street, along said street to Shore Parkway North Service Road, along said road to East 23rd Street, along said street to Jamiston Lane, along said lane to Dooley Street, along said street to Shore Parkway North Service Road, along said road to East 21st Street, along said street to Avenue Z, along said avenue to East 24th Street, along said street to Avenue Y, along said avenue to East 22nd Street, along said street to Avenue X, along said avenue to East 21st Street, along said street to Avenue W, along said avenue to East 22nd Street, along said street to Avenue V, along said avenue to East 21st Street, along said street to Avenue S, along said avenue to East 22nd Street, along said street to Avenue P, along said avenue to East 21st Street, along said street to Avenue O, along said avenue to East 22nd Street, along said street to Bay Avenue, along said avenue to East 21st Street, along said street to Avenue N, along said avenue to East 19th Street, along said street to Avenue M, along said avenue to East 27th Street, along said street to Avenue L, along said avenue to East 32nd Street, along said street to Avenue K, along said avenue to East 35th Street, along said street to Avenue L, along said avenue to East 37th Street, along said street to Kings Highway, along said highway to Flatbush Avenue, along said avenue to Lott Place, along said place to East 40th Street, along said street to Flatlands Avenue, along said avenue to Avenue L, along said avenue to Troy Avenue, along said avenue to Avenue K, along said avenue to East 40th Street, along said street to Avenue J, along said avenue to East 34th Street, along said street to Flatbush Avenue, along said avenue to Avenue H, along said avenue to East 38th Street, along said street to Glenwood Road, along said road to Kings Highway, along said highway to East 54th Street, along said street to Clarendon Road, along said road to East 53rd Street, along said street to Beverly Road, along said road to

East 52nd Street, along said street to Tilden Avenue, along said avenue to Kings Highway, along said highway to East 57th Street, along said street to Tilden Avenue, along said avenue to Ralph Avenue, along said avenue to Snyder Avenue, along said avenue to East 59th Street, along said street to Church Avenue, along said avenue to a point where East 91st Street intersects Church Avenue, the point of beginning.

42. **Forty-second district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where East 52nd Street intersects Clarkson Avenue thence easterly along said avenue to East 53rd Street, along said street to Winthrop Street, along said street to Remsen Avenue, along said avenue to East 55th Street, along said street to Clarkson Avenue, along said avenue to East 56th Street, along said street to Kings Highway, along said highway to Tilden Avenue, along said avenue to East 52nd Street, along said street to Beverly Road, along said road to East 53rd Street, along said street to Clarendon Road, along said road to East 54th Street, along said street to Kings Highway, along said highway to Glenwood Road, along said road to East 38th Street, along said street to Avenue H, along said avenue to Flatbush Avenue, along said avenue to East 34th Street, along said street to Avenue J, along said avenue to East 40th Street, along said street to Avenue K, along said avenue to Troy Avenue, along said avenue to Avenue L, along said avenue to Flatlands Avenue, along said avenue to East 40th Street, along said street to Lott Place, along said place to Flatbush Avenue, along said avenue to Kings Highway, along said highway to East 37th Street, along said street to Avenue L, along said avenue to East 35th Street, along said street to Avenue K, along said avenue to East 32nd Street, along said street to Avenue L, along said avenue to East 27th Street, along said street to Avenue M, along said avenue to East 23rd Street, along said street to Avenue J, along said avenue to Bedford Avenue, along said avenue to its first intersection with Campus Road, along the lesser distance of said road to East 21st Street, along said street to Glenwood Road, along said road to Ocean Avenue, along said avenue to Albemarle Road, along said road to East 18th Street, along said street to Church Avenue, along said avenue to East 21st Street, along said street to Caton Avenue, along said avenue to Ocean Avenue, along said avenue to St. Pauls Court, along said court to St. Pauls Place, along said place to Caton Avenue, along said avenue to Parade Place, along said place to Parkside Avenue, along said avenue to Flatbush Avenue, along said avenue to Church Avenue, along said avenue to

Bedford Avenue, along said avenue to Snyder Avenue, along said avenue to Flatbush Avenue, along said avenue to Albemarle Road, along said road to Bedford Avenue, along said avenue to Beverly Road, along said road to East 28th Street, along said street to Tilden Avenue, along said avenue to East 31st Street, along said street to Snyder Avenue, along said avenue to East 32nd Street, along said street to Tilden Avenue, along said avenue to Brooklyn Avenue, along said avenue to Snyder Avenue, along said avenue to East 49th Street, along said street to Church Avenue, along said avenue to Utica Avenue, along said avenue to Snyder Avenue, along said avenue to East 52nd Street, along said street to a point where East 52nd Street intersects Clarkson Avenue, the point of beginning.

43. **Forty-third district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Herkimer Street intersects New York Avenue thence southerly along said avenue to Atlantic Avenue, along said avenue to Kingston Avenue, along said avenue to Eastern Parkway, along said parkway to Schenectady Avenue, along said avenue to Union Street, along said street to Utica Avenue, along said avenue to President Street, along said street to Schenectady Avenue, along said avenue to Carroll Street, along said street to Utica Avenue, along said avenue to Crown Street, along said street to Schenectady Avenue, along said avenue to Lefferts Avenue, along said avenue to Albany Avenue, along said avenue to Maple Street, along said street to Kingston Avenue, along said avenue to Rutland Road, along said road to Brooklyn Avenue, along said avenue to Winthrop Street, along said street to Albany Avenue, along said avenue to Clarkson Avenue, along said avenue to East 51st Street, along said street to Lenox Road, along said road to East 52nd Street, along said street to Snyder Avenue, along said avenue to Utica Avenue, along said avenue to Church Avenue, along said avenue to East 49th Street, along said street to Snyder Avenue, along said avenue to Brooklyn Avenue, along said avenue to Tilden Avenue, along said avenue to East 32nd Street, along said street to Snyder Avenue, along said avenue to East 31st Street, along said street to Tilden Avenue, along said avenue to East 28th Street, along said street to Beverly Road, along said road to Bedford Avenue, along said avenue to Albemarle Road, along said road to Flatbush Avenue, along said avenue to Snyder Avenue, along said avenue to Bedford Avenue, along said avenue to Church Avenue, along said avenue to Flatbush Avenue, along said avenue to Parkside Avenue, along said avenue to Rogers Avenue, along said avenue to Montgomery Street, along

said street to Nostrand Avenue, along said avenue to Crown Street, along said street to Rogers Avenue, along said avenue to Eastern Parkway, along said parkway to Bedford Avenue, along said avenue to Lincoln Place, along said place to Rogers Avenue, along said avenue to Grant Square, along Grant Square to Atlantic Avenue, along said avenue to Nostrand Avenue, along said avenue to Herkimer Street, along said street to a point where Herkimer Street intersects New York Avenue, the point of beginning.

44. **Forty-fourth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where 7th Avenue intersects Sterling Place, thence easterly along said place to Butler Place, along said place to Plaza Street East, along said street to Flatbush Avenue, along said avenue to a point where Empire Boulevard intersects Ocean Avenue, along said avenue to Parkside Avenue, along said avenue to Parade Place, along said place to Caton Avenue, along said avenue to St. Pauls Place, along said place to St. Pauls Court, along said court to Ocean Avenue, along said avenue to Caton Avenue, along said avenue to East 21st Street, along said street to Church Avenue, along said avenue to East 18th Street, along said street to Albemarle Road, along said road to Ocean Avenue, along said avenue to Glenwood Road, along said road to East 21st Street, along said street to Campus Road, along the lesser distance of said road to Bedford Avenue, along said avenue to Avenue J, along said avenue to East 23rd Street, along said street to Avenue M, along said avenue to Ocean Avenue, along said avenue to Avenue L, along said avenue to East 15th Street, along said street to Locust Avenue, along said avenue to East 14th Street, along said street to Avenue L, along said avenue to Coney Island Avenue, along said avenue to Long Island Rail Road Right of Way, along said right of way to Ocean Parkway, along said parkway to Foster Avenue, along said avenue to Seton Place, along said place to 18th Avenue, along said avenue to East 3rd Street, along said street to Avenue F, along said avenue to East 4th Street, along said street to Ditmas Avenue, along said avenue to East 5th Street, along said street to Church Avenue, along said avenue to Dahill Road, along said road to Fort Hamilton Parkway, along said parkway to McDonald Avenue, along said avenue to 10th Avenue, along said avenue to 19th Street, along said street to 11th Avenue, along said avenue to Prospect Expressway, along said expressway to Seeley Street, along said street to Prospect Avenue, along said avenue to 11th Avenue, along said avenue to Sherman Street, along said street to Terrace Place, along said place

to Prospect Park Southwest, along said Prospect Park Southwest to Prospect Park West, along said Prospect Park West to 9th Street, along said street to 8th Avenue, along said avenue to 8th Street, along said street to Prospect Park West, along said Prospect Park West to 7th Street, along said street to 8th Avenue, along said avenue to 2nd Street, along said street to 6th Avenue, along said avenue to Garfield Place, along said place to 4th Avenue, along said avenue to Sackett Street, along said street to 5th Avenue, along said avenue to Degraw Street, along said street to 4th Avenue, along said avenue to Douglass Street, along said street to 5th Avenue, along said avenue to St. Johns Place, along said place to 6th Avenue, along said avenue to Lincoln Place, along said place to 7th Avenue, along said avenue to a point where 7th Avenue intersects Sterling Place, the point of beginning.

45. Forty-fifth district. That part of the county of Kings bounded by a line described as follows: Beginning at a point where Avenue L intersects Ocean Avenue, thence southerly along Ocean Avenue to Avenue M, along said avenue to East 19th Street, along said street to Avenue N, along said avenue to East 21st Street, along said street to Bay Avenue, along said avenue to East 22nd Street, along said street to Avenue O, along said avenue to East 21st Street, along said street to Avenue P, along said avenue to East 22nd Street, along said street to Avenue S, along said avenue to East 21st Street, along said street to Avenue V, along said avenue to East 22nd Street, along said street to Avenue W, along said avenue to East 21st Street, along said street to Avenue X, along said avenue to East 22nd Street, along said street to Avenue Y, along said avenue to East 24th Street, along said street to Avenue Z, along said avenue to East 21st Street, along said street to the Shore Parkway North Service Road, along said road to Dooley Street, along said street to Jamiston Lane, along said lane to East 23rd Street, along said street to the Shore Parkway North Service Road, along said road to Haring Street, along said street to Voorhies Avenue, along said avenue to Brown Street, along said street to Avenue Z, along said avenue to Batchelder Street, along said street to Avenue Y, along said avenue to Nostrand Avenue, along said avenue to Avenue X, along said avenue to Knapp Street, along said street to Allen Avenue, along said avenue to Gerritsen Avenue, along said avenue to Avenue X, along said avenue to Burnett Street, along said street to Avenue U, along said avenue to East 38th Street, along said street to Avenue R, along said avenue to Ryder Street, along said street to Quentin Road,

along said road to Coleman Street, along said street to Avenue P, along said avenue to Flatbush Avenue, along said avenue to Avenue N, along said avenue to East 45th Street, along said street to Quentin Road, along said road to Hendrickson Street, along said street to Avenue R, along said avenue to Flatbush Avenue, along said avenue to Avenue S, along said avenue to East 52nd Street, along said street to Avenue T, along said avenue to East 52nd Street, along said street to Avenue U, along said avenue to Flatbush Avenue, along said avenue to Marine Parkway Bridge, along said bridge to the county line, along the county line to Coney Island Avenue extended, along said avenue extended to Coney Island Avenue, along said avenue to Gerald Court, along said court to East 7th Street, along said street to Dunne Court, along said court to Coney Island Avenue, along said avenue to Desmond Court, along said court to East 7th Street, along said street to Avenue W, along said avenue to Ocean Parkway, along said parkway to Avenue O, along said avenue to East 5th Street, along said street to Ryder Avenue, along said avenue to Ocean Parkway, along said parkway to Avenue N, along said avenue to East 5th Street, along said street to Avenue L, along said avenue to East 14th Street, along said street to Locust Avenue, along said avenue to East 15th Street, along said street to Avenue L, along said avenue to a point where Avenue L intersects Ocean Avenue, the point of beginning.

Forty-sixth district. That part of the county of Kings bounded by a line described as follows: Beginning at a point where 5th Avenue intersects 76th Street, thence southeasterly along 76th Street to southbound 7th Avenue, along said avenue to Bay Ridge Parkway, along said parkway to northbound 7th Avenue, along said avenue to southbound Fort Hamilton Parkway, along said parkway to northbound Fort Hamilton Parkway, along said parkway to Dyker Place extended, along said place extended to 82nd Street, along said street to 10th Avenue, along said avenue to 81st Street, along said street to 11th Avenue, along said avenue to 86th Street, along said street to 14th Avenue, along said avenue to Cropsey Avenue, along said avenue to Bay 8th Street, along said street to Bay 8th Street extended, along said street extended to Shore Parkway, along said parkway to Bay 50th Street, along said street to Cropsey Avenue, along said avenue to Canal Avenue, along said avenue to Stillwell Avenue, along said avenue to Avenue X, along said avenue to West 8th Street, along said street to 86th Street, along said street to West 7th Street, along said street to Boynton Place, along said place to Avenue X, along said avenue to Shell Road,

along said road to Avenue Z, along said avenue to West Street, along said street to Avenue Y, along said avenue to West 1st Street, along said street to Village Road East, along said road to West Street, along said street to Avenue U, along said avenue to East 2nd Street, along said street to Gravesend Neck Road, along said road to East 3rd Street, along said street to Avenue W, along said avenue to East 4th Street, along said street to Gravesend Neck Road, along said road to East 5th Street, along said street to Avenue V, along said avenue to Ocean Parkway, along said parkway to Avenue W, along said avenue to East 7th Street, along said street to Desmond Court, along said court to Coney Island Avenue, along said avenue to Dunne Court, along said court to East 7th Street, along said street to Gerald Court, along said court to Coney Island Avenue, along said avenue to Coney Island Avenue extended, along said avenue extended to the county line, along the county line westerly and northerly to the Verrazano Narrows Bridge, along said bridge to 4th Avenue, along said avenue to Shore Road, along said road to 96th Street, along said street to Marine Avenue, along said avenue to Colonial Road, along said road to 91st Street, along said street to Ridge Boulevard, along said boulevard to 89th Street, along said street to Colonial Road, along said road to 86th Street, along said street to 3rd Avenue, along said avenue to 84th Street, along said street to Ridge Boulevard, along said boulevard to 81st Street, along said street to 3rd Avenue, along said avenue to 80th Street, along said street to 5th Avenue, along said avenue to a point where 5th Avenue intersects 76th Street, the point of beginning.

47. **Forty-seventh district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where 20th Avenue intersects 57th Street, thence southeasterly along said street to 57th Street extended, along said street extended to Bay Parkway, along said parkway to McDonald Avenue, along said avenue to Avenue M, along said avenue to East 5th Street, along said street to Avenue N, along said avenue to Ocean Parkway, along said parkway to Ryder Avenue, along said avenue to East 5th Street, along said street to Avenue O, along said avenue to Ocean Parkway, along said parkway to Avenue V, along said avenue to East 5th Street, along said street to Gravesend Neck Road, along said road to East 4th Street, along said street to Avenue W, along said avenue to East 3rd Street, along said street to Gravesend Neck Road, along said road to East 2nd Street, along said street to Avenue U, along said avenue to West Street, along said street to Village Road East, along said road to

West 1st Street, along said street to Avenue Y, along said avenue to West Street, along said street to Avenue Z, along said avenue to Shell Road, along said road to Avenue X, along said avenue to Boynton Place, along said place to West 7th Street, along said street to 86th Street, along said street to West 8th Street, along said street to Avenue X, along said avenue to Stillwell Avenue, along said avenue to Canal Avenue, along said avenue to Cropsey Avenue, along said avenue to Bay 50th Street, along said street to Shore Parkway, along said parkway to 20th Avenue extended, along said avenue extended to 20th Avenue, along said avenue to Cropsey Avenue, along said avenue to 23rd Avenue, along said avenue to Benson Avenue, along said avenue to 20th Avenue, along said avenue to 85th Street, along said street to 21st Avenue, along said avenue to 84th Street, along said street to 19th Avenue, along said avenue to 81st Street, along said street to 20th Avenue, along said avenue to 77th Street, along said street to 21st Avenue, along said avenue to 81st Street, along said street to Bay Parkway, along said parkway to Bay Ridge Parkway, along said parkway to 20th Avenue, along said avenue to 73rd Street, along said street to 21st Avenue, along said avenue to 68th Street, along said street to Bay Parkway, along said parkway to 64th Street, along said street to 21st Avenue, along said avenue to 60th Street, along said street to 20th Avenue, along said avenue to 67th Street, along said street to 19th Avenue, along said avenue to 59th Street, along said street to 20th Avenue, along said avenue to a point where 20th Avenue intersects 57th Street, the point of beginning.

48. **Forty-eighth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where 9th Avenue intersects New Utrecht Avenue, thence southerly along New Utrecht Avenue to 39th Street, along said street to 12th Avenue, along said avenue to 36th Street, along said street to Tehama Street, along said street to Dahill Road, along said road to Church Avenue, along said avenue to East 5th Street, along said street to Ditmas Avenue, along said avenue to East 4th Street, along said street to Avenue F, along said avenue to East 3rd Street, along said street to 18th Avenue, along said avenue to Seton Place, along said place to Foster Avenue, along said avenue to Ocean Parkway, along said parkway to Long Island Rail Road Right of Way, along said right of way to Coney Island Avenue, along said avenue to Avenue L, along said avenue to East 5th Street, along said street to Avenue M, along said avenue to McDonald Avenue, along said avenue to Bay Parkway, along said parkway to 57th Street extended, along said street ex-

tended to 57th Street, along said street to 20th Avenue, along said avenue to 59th Street, along said street to 19th Avenue, along said avenue to 53rd Street, along said street to Dahill Road, along said road to Avenue J, along said avenue to Mc-Donald Avenue, along said avenue to 47th Street, along said street to 19th Avenue, along said avenue to 48th Street, along said street to 18th Avenue, along said avenue to 54th Street extended, along said street extended to 54th Street, along said street to 17th Avenue, along said avenue to 59th Street, along said street to 16th Avenue, along said avenue to 57th Street, along said street to 15th Avenue, along said avenue to 58th Street, along said street to 14th Avenue, along said avenue to 57th Street, along said street to New Utrecht Avenue, along said avenue to 13th Avenue, along said avenue to 53rd Street, along said street to New Utrecht Avenue, along said avenue to 52nd Street, along said street to 11th Avenue, along said avenue to 51st Street, along said street to Fort Hamilton Parkway, along said parkway to 54th Street, along said street to 9th Avenue, along said avenue to 55th Street, along said street to 8th Avenue, along said avenue to 60th Street, along said street to 11th Avenue, along said avenue to 61st Street, along said street to 12th Avenue extended, along said avenue extended to 62nd Street, along said street to 11th Avenue, along said avenue to Ovington Avenue, along said avenue to 10th Avenue, along said avenue to 72nd Street, along said street to 11th Avenue, along said avenue to 70th Street, along said street to 13th Avenue, along said avenue to Bay Ridge Parkway, along said parkway to 15th Avenue, along said avenue to 76th Street, along said street to 16th Avenue, along said avenue to 77th Street, along said street to 14th Avenue, along said avenue to 78th Street, along said street to 15th Avenue, along said avenue to 79th Street, along said street to 14th Avenue, along said avenue to 80th Street, along said street to 11th Avenue, along said avenue to 81st Street, along said street to 10th Avenue, along said avenue to 82nd Street, along said street to Dyker Place extended, along said place extended to northbound Fort Hamilton Parkway, along said parkway to southbound Fort Hamilton Parkway, along said parkway to northbound 7th Avenue, along said avenue to Bay Ridge Parkway, along said parkway to south bound 7th Avenue, along said avenue to 76th Street, along said street to 6th Avenue, along said avenue to 54th Street, along said street to 7th Avenue, along said avenue to 52nd Street, along said street to 8th Avenue, along said avenue to 50th Street, along said street to 9th Avenue, along said avenue to 49th Street,

along said street to 8th Avenue, along said avenue to 48th Street, along said street to 9th Avenue, along said avenue to 47th Street, along said street to 8th Avenue, along said avenue to 45th Street, along said street to 9th Avenue, along said avenue to 43rd Street, along said street to 10th Avenue, along said avenue to 41st Street, along said street to 9th Avenue, along said avenue to New Utrecht Avenue, along said avenue to a point where New Utrecht Avenue intersects 9th Avenue, the point of beginning.

49. **Forty-ninth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Fort Hamilton Parkway intersects 51st Street thence easterly along 51st Street to 11th Avenue, along said avenue to 52nd Street, along said street to New Utrecht Avenue, along said avenue to 53rd Street, along said street to 13th Avenue, along said avenue to New Utrecht Avenue, along said avenue to 57th Street, along said street to 14th Avenue, along said avenue to 58th Street, along said street to 15th Avenue, along said avenue to 57th Street, along said street to 16th Avenue, along said avenue to 59th Street, along said street to 17th Avenue, along said avenue to 54th Street, along said street to 54th Street extended, along said street extended to 18th Avenue, along said avenue to 48th Street, along said street to 19th Avenue, along said avenue to 47th Street, along said street to McDonald Avenue, along said avenue to Avenue J, along said avenue to Dahill Road, along said road to 53rd Street, along said street to 19th Avenue, along said avenue to 67th Street, along said street to 20th Avenue, along said avenue to 60th Street, along said street to 21st Avenue, along said avenue to 64th Street, along said street to Bay Parkway, along said parkway to 68th Street, along said street to 21st Avenue, along said avenue to 73rd Street, along said street to 20th Avenue, along said avenue to Bay Ridge Parkway, along said parkway to Bay Parkway, along said parkway to 81st Street, along said street to 21st Avenue, along said avenue to 77th Street, along said street to 20th Avenue, along said avenue to 81st Street, along said street to 19th Avenue, along said avenue to 84th Street, along said street to 21st Avenue, along said avenue to 85th Street, along said street to 20th Avenue, along said avenue to Benson Avenue, along said avenue to 23rd Avenue, along said avenue to Cropsey Avenue, along said avenue to 20th Avenue, along said avenue to 20th Avenue extended, along said avenue extended to Shore Parkway, along said parkway to Bay 8th Street extended, along said street extended to Bay 8th Street, along said street to Cropsey Avenue, along said avenue to

14th Avenue, along said avenue to 86th Street, along said street to 11th Avenue, along said avenue to 80th Street, along said street to 14th Avenue, along said avenue to 79th Street, along said street to 15th Avenue, along said avenue to 78th Street, along said street to 14th Avenue, along said avenue to 77th Street, along said street to 16th Avenue, along said avenue to 76th Street, along said street to 15th Avenue, along said avenue to Bay Ridge Parkway, along said parkway to 13th Avenue, along said avenue to 70th Street, along said street to 11th Avenue, along said avenue to 72nd Street, along said street to 10th Avenue, along said avenue to Ovington Avenue, along said avenue to 11th Avenue, along said avenue to 62nd Street, along said street to 12th Avenue extended, along said avenue extended to 61st Street, along said street to 11th Avenue, along said avenue to 60th Street, along said street to 8th Avenue, along said avenue to 55th Street, along said street to 9th Avenue, along said avenue to 54th Street, along said street to Fort Hamilton Parkway, along said parkway to a point where Fort Hamilton Parkway intersects 51st Street, the point of beginning.

50. Fiftieth district. That part of the county of Kings bounded by a line described as follows: Beginning at a point where the county line intersects Greenpoint Avenue, thence westerly along said avenue to North Henry Street, along said street to Nassau Avenue, along said avenue to Monitor Street, along said street to Driggs Avenue, along said avenue to Sutton Street, along said street to Brooklyn Queens Expressway, along said expressway to Kingsland Avenue, along said avenue to Woodpoint Road, along said road to Bushwick Avenue, along said avenue to Ainslie Street, along said street to Rodney Street, along said street to Grand Street, along said street to South 2nd Street, along said street to Keap Street, along said street to South 3rd Street, along said street to Rodney Street, along said street to Division Avenue, along said avenue to Keap Street, along said street to Broadway, along Broadway to Montrose Avenue, along said avenue to Manhattan Avenue, along said avenue to Boerum Street, along said street to Broadway, along Broadway to Heyward Street, along said street to Harrison Avenue, along said avenue to Lynch Street, along said street to Bedford Avenue, along said avenue to Park Avenue, along said avenue to Spencer Street, along said street to Myrtle Avenue, along said avenue to Carlton Avenue, along said avenue to Willoughby Avenue, along said avenue to Washington Park, along Washington Park to Myrtle Avenue, along said avenue to Saint Edwards Street, along said street to Willoughby Street, along said street to Duffield Street,

along said street to Myrtle Avenue, along said avenue to Bridge Street, along said street to Tillary Street, along said street to Jay Street, along said street to Manhattan Bridge (Flatbush Avenue Extension), along said bridge to Water Street, along said street to Washington Street, along said street to Plymouth Street, along said street to Manhattan Bridge (Flatbush Avenue Extension), along said bridge to the county line, along said line easterly, northerly and southeasterly to a point where said line intersects Greenpoint Avenue, the point of beginning.

51. Fifty-first district. That part of the county of Kings bounded by a line described as follows: Beginning at a point where Garfield Place intersects 6th Avenue, thence southwesterly along said avenue to 2nd Street, along said street to 8th Avenue, along said avenue to 7th Street, along said street to Prospect Park West, along Prospect Park West to 8th Street, along said street to 8th Avenue, along said avenue to 9th Street, along said street to Prospect Park West, along Prospect Park West to Prospect Park Southwest, along Prospect Park Southwest to Terrace Place, along said place to Sherman Street, along said street to 11th Avenue, along said avenue to Prospect Avenue, along said avenue to Seeley Street, along said street to Prospect Expressway, along said expressway to 11th Avenue, along said avenue to 19th Street, along said street to 10th Avenue, along said avenue to McDonald Avenue, along said avenue to Fort Hamilton Parkway, along said parkway to Dahill Road, along said road to Tehama Street, along said street to 36th Street, along said street to 12th Avenue, along said avenue to 39th Street, along said street to New Utrecht Avenue, along said avenue to 9th Avenue, along said avenue to 41st Street, along said street to 10th Avenue, along said avenue to 43rd Street, along said street to 9th Avenue, along said avenue to 45th Street, along said street to 8th Avenue, along said avenue to 47th Street, along said street to 9th Avenue, along said avenue to 48th Street, along said street to 8th Avenue, along said avenue to 49th Street, along said street to 9th Avenue, along said avenue to 50th Street, along said street to 8th Avenue, along said avenue to 52nd Street, along said street to 7th Avenue, along said avenue to 54th Street, along said street to 6th Avenue, along said avenue to Ovington Avenue, along said avenue to 3rd Avenue, along said avenue to Bay Ridge Avenue, along said avenue to 4th Avenue, along said avenue to 68th Street, along said street to 5th Avenue, along said avenue to Senator Street, along said street to 3rd Avenue, along said avenue to 67th Street, along said street to 4th Avenue, along said avenue to Gowanus

Expressway, along said expressway to 41st Street, along said street to 4th Avenue, along said avenue to 40th Street, along said street to Gowanus Expressway, along said expressway to 26th Street, along said street to 4th Avenue, along said avenue to 25th Street, along said street to Gowanus Expressway, along said expressway to Prospect Expressway, along said expressway to 4th Avenue, along said avenue to Garfield Place, along said place to a point where Garfield Place intersects 6th Avenue, the point of beginning.

52. **Fifty-second district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where the county line intersects Manhattan Bridge (Flatbush Avenue Extension), thence southeasterly along said bridge to Plymouth Street, along said street to Washington Street, along said street to Water Street, along said street to Manhattan Bridge (Flatbush Avenue Extension), along said bridge to Jay Street, along said street to Tillary Street, along said street to Adams Street, along said street to Boerum Place, along said place to Atlantic Avenue, along said avenue to Court Street, along said street to Warren Street, along said street to Smith Street, along said street to Douglass Street, along said street to Hoyt Street, along said street to Sackett Street, along said street to Bond Street, along said street to Butler Street, along said street to Nevins Street, along said street to St. Johns Place, along said place to 4th Avenue, along said avenue to Lincoln Place, along said place to 5th Avenue, along said avenue to Sackett Street, along said street to 4th Avenue, along said avenue to Prospect Expressway, along said expressway to Gowanus Expressway, along said expressway to 25th Street, along said street to 4th Avenue, along said avenue to 26th Street, along said street to Gowanus Expressway, along said expressway to 40th Street, along said street to 4th Avenue, along said avenue to 41st Street, along said street to Gowanus Expressway, along said expressway to 4th Avenue, along said avenue to 67th Street, along said street to 3rd Avenue, along said avenue to Senator Street, along said street to 5th Avenue, along said avenue to 68th Street, along said street to 4th Avenue, along said avenue to Bay Ridge Avenue, along said avenue to 3rd Avenue, along said avenue to Ovington Avenue, along said avenue to 6th Avenue, along said avenue to 76th Street, along said street to 5th Avenue, along said avenue to 80th Street, along said street to 3rd Avenue, along said avenue to 81st Street, along said street to Ridge Boulevard, along said boulevard to 84th Street, along said street to 3rd Avenue, along said avenue to 86th Street, along said

street to Colonial Road, along said road to 89th Street, along said street to Ridge Boulevard, along said boulevard to 91st Street, along said street to Colonial Road, along said road to Marine Avenue, along said avenue to 96th Street, along said street to Shore Road, along said road to 4th Avenue, along said avenue to 4th Avenue extended, along said avenue extended to the Verrazano Narrows Bridge, along said bridge to the county line, along said county line northerly and easterly to Manhattan Bridge (Flatbush Avenue Extension), the point of beginning.

53. **Fifty-third district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where the county line intersects Greenpoint Avenue, thence southeasterly along said county line to Gates Avenue, along said avenue to Bushwick Avenue, along said avenue to Jefferson Avenue, along said avenue to Broadway, along Broadway to DeKalb Avenue, along said avenue to Reid Avenue, along said avenue to Broadway, along Broadway to Vernon Avenue, along said avenue to Lewis Avenue, along said avenue to Myrtle Avenue, along said avenue to Marcy Avenue, along said avenue to Flushing Avenue, along said avenue to Nostrand Avenue, along said avenue to Park Avenue, along said avenue to Bedford Avenue, along said avenue to Lynch Street, along said street to Harrison Avenue, along said avenue to Heyward Street, along said street to Broadway, along Broadway to Boerum Street, along said street to Manhattan Avenue, along said avenue to Montrose Avenue, along said avenue to Broadway, along Broadway to Keap Street, along said street to Division Avenue, along said avenue to Rodney Street, along said street to South 3rd Street, along said street to Keap Street, along said street to South 2nd Street, along said street to Grand Street, along said street to Rodney Street, along said street to Ainslie Street, along said street to Bushwick Avenue, along said avenue to Woodpoint Road, along said road to Kingsland Avenue, along said avenue to Brooklyn Queens Expressway, along said expressway to Sutton Street, along said street to Driggs Avenue, along said avenue to Monitor Street, along said street to Nassau Avenue, along said avenue to North Henry Street, along said street to Greenpoint Avenue, along said avenue to a point where Greenpoint Avenue intersects the county line, the point of beginning.

54. **Fifty-fourth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Dumont Avenue intersects Eldert Lane, thence northerly along Eldert Lane to Sutter Avenue, along said avenue to Lincoln Avenue, along said avenue to Blake Avenue, along said ave-

nue to Hemlock Street, along said street to Dumont Avenue, along said avenue to Euclid Avenue, along said avenue to Sutter Avenue, along said avenue to Montauk Avenue, along said avenue to Blake Avenue, along said avenue to Atkins Avenue, along said avenue to Sutter Avenue, along said avenue to Shepherd Avenue, along said avenue to Blake Avenue, along said avenue to Essex Street, along said street to Sutter Avenue, along said avenue to Ashford Street, along said street to Blake Avenue, along said avenue to Warwick Street, along said street to Sutter Avenue, along said avenue to Miller Avenue, along said avenue to Dumont Avenue, along said avenue to Vermont Avenue, along said avenue to Riverdale Avenue, along said avenue to Sheffield Avenue, along said avenue to Sutter Avenue, along said avenue to Powell Street, along said street to Glenmore Avenue, along said avenue to Stone Avenue, along said avenue to East New York Avenue, along said avenue to St. Marks Avenue, along said avenue to Rockaway Avenue, along said avenue to Chauncey Street, along said street to Hopkinson Avenue, along said avenue to Decatur Street, along said street to Broadway, along Broadway to Jefferson Avenue, along said avenue to Bushwick Avenue, along said avenue to Gates Avenue, along said avenue to the county line, along the county line to Dumont Avenue, along said avenue to a point where Dumont Avenue intersects Eldert Lane, the point of beginning.

55. **Fifty-fifth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Broadway intersects Decatur Street, thence westerly along said street to Hopkinson Avenue, along said avenue to Chauncey Street, along said street to Rockaway Avenue, along said avenue to St. Marks Avenue, along said avenue to East New York Avenue, along said avenue to Stone Avenue, along said avenue to Glenmore Avenue, along said avenue to Powell Street, along said street to Sutter Avenue, along said avenue to Christopher Avenue, along said avenue to Belmont Avenue, along said avenue to Stone Avenue, along said avenue to Dumont Avenue, along said avenue to Bristol Street, along said street to Livonia Avenue, along said avenue to East 98th Street, along said street to Rutland Road, along said road to Rockaway Parkway, along said parkway to Clarkson Avenue, along said avenue to East 92nd Street, along said street to Winthrop Street, along said street to Remsen Avenue, along said avenue to Winthrop Street, along said street to East 53rd Street, along said street to Clarkson Avenue, along said avenue to East 52nd Street, along said street to Lenox Road, along said road to East 51st Street, along said

street to Clarkson Avenue, along said avenue to Albany Avenue, along said avenue to Winthrop Street, along said street to Brooklyn Avenue, along said avenue to Rutland Road, along said road to Kingston Avenue, along said avenue to Maple Street, along said street to Albany Avenue, along said avenue to Lefferts Avenue, along said avenue to Schenectady Avenue, along said avenue to Crown Street, along said street to Utica Avenue, along said avenue to Carroll Street, along said street to Schenectady Avenue, along said avenue to President Street, along said street to Utica Avenue, along said avenue to Union Street, along said street to Schenectady Avenue, along said avenue to Eastern Parkway, along said parkway to Kingston Avenue, along said avenue to Sterling Place, along said place to Virgina Place, along said place to Park Place, along said place to Albany Avenue, along said avenue to Sterling Place, along said place to Troy Avenue, along said avenue to Bergen Street, along said street to Utica Avenue, along said avenue to Dean Street, along said street to Rochester Avenue, along said avenue to Atlantic Avenue, along said avenue to Suydam Place, along said place to Herkimer Street, along said street to Utica Avenue, along said avenue to Fulton Street, along said street to Reid Avenue, along said avenue to Monroe Street, along said street to Stuyvesant Avenue, along said avenue to Gates Avenue, along said avenue to Reid Avenue, along said avenue to DeKalb Avenue, along said avenue to Broadway, along Broadway to a point where Broadway intersects Decatur Street, the point of beginning.

56. **Fifty-sixth district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Vernon Avenue intersects Broadway, thence southeasterly along Broadway to Reid Avenue, along said avenue to Gates Avenue, along said avenue to Stuyvesant Avenue, along said avenue to Monroe Street, along said street to Reid Avenue, along said avenue to Fulton Street, along said street to Utica Avenue, along said avenue to Herkimer Street, along said street to Suydam Place, along said place to Atlantic Avenue, along said avenue to Rochester Avenue, along said avenue to Dean Street, along said street to Utica Avenue, along said avenue to Bergen Street, along said street to Troy Avenue, along said avenue to Sterling Place, along said place to Albany Avenue, along said avenue to Park Place, along said place to Virginia Place, along said place to Sterling Place, along said place to Kingston Avenue, along said avenue to Atlantic Avenue, along said avenue to New York Avenue, along said avenue to Herkimer Street, along said street to Nostrand Avenue, along said avenue to Atlantic Avenue, along

said avenue to Grant Square, along Grant Square to Rogers Avenue, along said avenue to Sterling Place, along said place to Franklin Avenue, along said avenue to St. Johns Place, along said place to Classon Avenue, along said avenue to Prospect Place, along said place to Grand Avenue, along said avenue to Park Place, along said place to Washington Avenue, along said avenue to Bergen Street, along said street to Underhill Avenue, along said avenue to Dean Street, along said street to Washington Avenue, along said avenue to Atlantic Avenue, along said avenue to Waverly Avenue, along said avenue to Fulton street, along said street to Irving Place, along said place to Putnam Avenue, along said avenue to Downing Street, along said street to Gates Avenue, along said avenue to Classon Avenue, along said avenue to DeKalb Avenue, along said avenue to Taaffe Place, along said place to Willoughby Avenue, along said avenue to Emerson Place, along said place to Myrtle Avenue, along said avenue to Spencer Street, along said street to Park Avenue, along said avenue to Nostrand Avenue, along said avenue to Flushing Avenue, along said avenue to Marcy Avenue, along said avenue to Myrtle Avenue, along said avenue to Lewis Avenue, along said avenue to Vernon Avenue to a point where Vernon Avenue intersects Broadway, the point of beginning.

57. **Fifty-seventh district.** That part of the county of Kings bounded by a line described as follows: Beginning at a point where Myrtle Avenue intersects Emerson Place, thence southerly along said place to Willoughby Avenue, along said avenue to Taaffe Place, along said place to DeKalb Avenue, along said avenue to Classon Avenue, along said avenue to Gates Avenue, along said avenue to Downing Street, along said street to Putnam Avenue, along said avenue to Irving Place, along said place to Fulton Street, along said street to Waverly Avenue, along said avenue to Atlantic Avenue, along said avenue to Washington Avenue, along said avenue to Dean Street, along said street to Underhill Avenue, along said avenue to Bergen Street, along said street to Washington Avenue, along said avenue to Park Place, along said place to Grand Avenue, along said avenue to Prospect Place, along said place to Classon Avenue, along said avenue to St. Johns Place, along said place to Franklin Avenue, along said avenue to Sterling Place, along said place to Rogers Avenue, along said avenue to Lincoln Place, along said place to Bedford Avenue, along said avenue to Eastern Parkway, along said parkway to Rogers Avenue, along said avenue to Crown Street, along said street to Nostrand Avenue, along said avenue to Montgomery Street, along said street to Rogers Avenue, along

said avenue to Parkside Avenue, along said avenue to Ocean Avenue, along said avenue to a point where Empire Boulevard intersects Flatbush Avenue, along said avenue to Plaza Street East, along said street to Butler Place, along said place to Sterling Place, along said place to 7th Avenue, along said avenue to Lincoln Place, along said place to 6th Avenue, along said avenue to St. Johns Place, along said place to 5th Avenue, along said avenue to Douglass Street, along said street to Nevins Street, along said street to Butler Street, along said street to Bond Street, along said street to Sackett Street, along said street to Hoyt Street, along said street to Douglass Street, along said street to Smith Street, along said street to Warren Street, along said street to Court Street, along said street to Atlantic Avenue, along said avenue to Boerum Place, along said place to Adams Street, along said street to Tillary Street, along said street to Bridge Street, along said street to Myrtle Avenue, along said avenue to Duffield Street, along said street to Willoughby Street, along said street to Saint Edwards Street, along said street to Myrtle Avenue, along said avenue to Washington Park, along Washington Park to Willoughby Avenue, along said avenue to Carlton Avenue, along said avenue to Myrtle Avenue, along said avenue to a point where Myrtle Avenue intersects Emerson Place, the point of beginning.

58. **Fifty-eighth district.** That part of the county of Richmond bounded by a line described as follows: Beginning at a point where Broadway intersects Henderson Avenue, thence easterly along Henderson Avenue to Davis Avenue, along said avenue to Henderson Avenue, along said avenue to Lafayette Avenue, along said avenue to Prospect Avenue, along said avenue to York Avenue, along said avenue to Pauw Street, along said street to Jersey Street, along said street to Brook Street, along said street to Pike Street, along said street to Victory Boulevard, along said boulevard to Cebra Avenue, along said avenue to St. Pauls Avenue, along said avenue to Beach Street, along said street to Van Duzer Street, along said street to Court Street, along said street to Boyd Street, along said street to Cedar Street, along said street to Broad Street, along said street to Targee Street, along said street to North Narrows Road, along said road to Richmond Road, along said road to Staten Island Expressway, along said expressway to Clove Road, along said road to North Narrows Road, along said road to Little Clove Road, along said road to Renwick Avenue along said avenue to Staten Island Expressway, along said expressway to Richmond Parkway, along said parkway to Lortel Avenue extended, along

said avenue extended to Lortel Avenue, along said avenue to Melhorn Road, along said road to Fine Boulevard, along said boulevard to Todt Hill Road, along said road to Ocean Terrace, along said terrace to Manor Road, along said road to Brielle Avenue, along said avenue to Rockland Avenue, along said avenue to Richmond Avenue, along said avenue to Lander Avenue, along said avenue to Arlene Street, along said street to Fahy Avenue, along said avenue to South Avenue, along said avenue to Goethals Road North, along said road to Western Avenue, along said avenue to Richmond Terrace, along said terrace to Richmond Terrace extended, along said terrace extended to the county line, along the county line to Broadway extended, along Broadway extended to Broadway, along Broadway to a point where Broadway intersects Henderson Avenue, the point of beginning.

59. **Fifty-ninth district.** That part of the county of Richmond bounded by a line described as follows: Beginning at a point where Father Capodanno Boulevard intersects Lincoln Avenue, thence northwesterly along Lincoln Avenue to Nugent Avenue, along said avenue to Greeley Avenue, along said avenue to Kiswick Street, along said street to Hunter Avenue, along said avenue to Haven Avenue, along said avenue to Adams Avenue, along said avenue to Laconia Avenue, along said avenue to Jefferson Avenue, along said avenue to Hylan Boulevard, along said boulevard to Seaver Avenue, along said avenue to Mason Avenue, along said avenue to Dongan Hills Avenue, along said avenue to Laconia Avenue, along said avenue to Naughton Avenue, along said avenue to Hylan Boulevard, along said boulevard to Dongan Hills Avenue, along said avenue to Cletus Street, along said street to Naughton Avenue, along said avenue to Zoe Street, along said street to Buel Avenue, along said avenue to North Railroad Avenue, along said avenue to Dongan Hills Avenue, along said avenue to Jefferson Street, along said street to North Railroad Avenue, along said avenue to Stobe Avenue, along said avenue to Richmond Road, along said road to Liberty Avenue, along said avenue to Jefferson Street, along said street to Seaview Avenue, along said avenue to North Railroad Avenue, along said avenue to Cromwell Avenue, along said avenue to Hylan Boulevard, along said boulevard to Parkinson Avenue, along said avenue to Leslie Avenue, along said avenue to Clove Road, along said road to West Fingerboard Road, along said road to Steuben Street, along said street to South Narrows Road, along said road to Mosel Avenue, along said avenue to Clove Road, along said road to Hanover Avenue, along said avenue to Baltic Avenue, along said avenue to Oder Avenue, along said avenue to Hay

Street, along said street to Targee Street, along said street to Ralph Place, along said place to Richmond Road, along said road to Edgar Place, along said place to Wilson Terrace, along said terrace to Madigan Place, along said place to Spring Street, along said street to Ridge Avenue, along said avenue to Ridge Avenue connected, along said avenue connected to Ridge Avenue, along said avenue to Chapin Avenue, along said avenue to Dalemere Road, along said road to Forest Road, along said road to Richmond Road, along said road to Four Corners Road, along said road to Romer Road, along said road to St. George Drive, along said drive to Benedict Road, along said road to Redmond Avenue, along said avenue to Todt Hill Road, along said road to Richmond Road, along said road to Altamont Street, along said street to Beacon Avenue, along said avenue to Walden Avenue, along said avenue to Geldner Avenue, along said avenue to Luigi Place, along said place to Beacon Avenue, along said avenue to Richmond Road, along said road to Rockland Avenue, along said avenue to Meisner Avenue, along said avenue to London Road, along said road to Rigby Avenue, along said avenue to Edinboro Road, along said road to Richmond Hill Road, along said road to Arthur Kill Road, along said road to Armstrong Avenue, along said avenue to Lamoka Avenue, along said avenue to Lamoka Avenue connected, along said avenue connected to Lamoka Avenue, along said avenue to Bartlett Avenue, along said avenue to Richmond Avenue, along said avenue to Gurley Avenue, along said avenue to East Drumgoole Road, along said road to Annadale Road, along said road to Amboy Road, along said road to Huguenot Avenue, along said avenue to Woodrow Road, along said road to Bloomingdale Road, along said road to Arthur Kill Road, along said road to Van Kull Road, along said road to Arthur Kill Road, along said road to St. Lukes Avenue extended, along said avenue extended to the county line, along the county line to Richmond Terrace extended, along said terrace extended to Richmond Terrace, along said terrace to Western Avenue, along said avenue to Goethals Road North, along said road to South Avenue, along said avenue to Fahy Avenue, along said avenue to Arlene Street, along said street to Lander Avenue, along said avenue to Richmond Avenue, along said avenue to Rockland Avenue, along said avenue to Brielle Avenue, along said avenue to Manor Road, along said road to Ocean Terrace, along said terrace to Todt Hill Road, along said road to Fine Boulevard, along said boulevard to Melhorn Road, along said road to Lortel Avenue, along said avenue to Lortel Avenue extended, along said avenue extended to Richmond Parkway, along said parkway to Sta-

ten Island Expressway, along said expressway to Renwick Avenue, along said avenue to Little Clove Road, along said road to North Narrows Road, along said road to Clove Road, along said road to Staten Island Expressway, along said expressway to Richmond Road, along said road to North Narrows Road, along said road to Targee Street, along said street to Broad Street, along said street to Cedar Street, along said street to Boyd Street, along said street to Court Street, along said street to Van Duzer Street, along said street to Beach Street, along said street to St. Pauls Avenue, along said avenue to Cebra Avenue, along said avenue to Victory Boulevard, along said boulevard to Pike Street, along said street to Brook Street, along said street to Jersey Street, along said street to Pauw Street, along said street to York Avenue, along said avenue to Prospect Avenue, along said avenue to Lafayette Avenue, along said avenue to Henderson Avenue, along said avenue to Davis Avenue, along said avenue to Henderson Avenue, along said avenue to Broadway, along Broadway to Broadway extended, along Broadway extended to the county line, along the county line to Ocean Avenue extended, along said avenue extended to Drury Avenue, along said avenue to Father Capodanno Boulevard, along said boulevard to a point where Father Capodanno Boulevard intersects Lincoln Avenue, the point of beginning.

60. **Sixtieth district.** That part of the county of Richmond bounded by a line described as follows: Beginning at a point where the South Narrows Road intersects Steuben Street, thence southerly along Steuben Street to West Fingerboard Road, along said road to Clove Road, along said road to Leslie Avenue, along said avenue to Parkinson Avenue, along said avenue to Hylan Boulevard, along said boulevard to Cromwell Avenue, along said avenue to North Railroad Avenue, along said avenue to Seaview Avenue, along said avenue to Jefferson Street, along said street to Liberty Avenue, along said avenue to Richmond Road, along said road to Stobe Avenue, along said avenue to North Railroad Avenue, along said avenue to Jefferson Street, along said street to Dongan Hills Avenue along said avenue to North Railroad Avenue, along said avenue to Buel Avenue, along said avenue to Zoe Street, along said street to Naughton Avenue, along said avenue to Cletus Street, along said street to Dongan Hills Avenue, along said avenue to Hylan Boulevard, along said boulevard to Naughton Avenue, along said avenue to Laconia Avenue, along said avenue to Dongan Hills Avenue, along said avenue to Mason Avenue, along said avenue to Seaver Avenue, along said avenue to Hylan Boulevard, along said boulevard to Jefferson

Avenue, along said avenue to Laconia Avenue, along said avenue to Adams Avenue, along said avenue to Haven Avenue, along said avenue to Hunter Avenue, along said avenue to Kiswick Street, along said street to Greeley Avenue, along said avenue to Nugent Avenue, along said avenue to Lincoln Avenue, along said avenue to Father Capodanno Boulevard, along said boulevard to Drury Avenue, along said avenue to Ocean Avenue extended, along said avenue extended to the county line, along the county line to St. Lukes Avenue extended, along said avenue extended to Arthur Kill Road, along said road to Van Kull Road, along said road to Arthur Kill Road, along said road to Bloomingdale Road, along said road to Woodrow Road, along said road to Huguenot Avenue, along said avenue to Amboy Road, along said road to Annadale Road, along said road to East Drumgoole Road, along said road to Gurley Avenue, along said avenue to Richmond Avenue, along said avenue to Bartlett Avenue, along said avenue to Lamoka Avenue, along said avenue to Lamoka Avenue connected, along said avenue connected to Lamoka Avenue, along said avenue to Armstrong Avenue, along said avenue to Arthur Kill Road, along said road to Richmond Hill Road, along said road to Edinboro Road, along said road to Rigby Avenue, along said avenue to London Road, along said road to Meisner Avenue, along said avenue to Rockland Avenue, along said avenue to Richmond Road, along said road to Beacon Avenue, along said avenue to Luigi Place, along said place to Geldner Avenue, along said avenue to Walden Avenue, along said avenue to Beacon Avenue, along said avenue to Altamont Street, along said street to Richmond Road, along said road to Todt Hill Road, along said road to Redmond Avenue, along said avenue to Benedict Road, along said road to St. George Drive, along said drive to Romer Road, along said road to Four Corners Road, along said road to Richmond Road, along said road to Forest Road, along said road to Dalemere Road, along said road to Chapin Avenue, along said avenue to Ridge Avenue, along said avenue to Ridge Avenue connected, along said avenue connected to Ridge Avenue, along said avenue to Spring Street, along said street to Madigan Place, along said place to Wilson Terrace, along said terrace to Edgar Place, along said place to Richmond Road, along said road to Ralph Place, along said place to Targee Street, along said street to Hay Street, along said street to Oder Avenue, along said avenue to Baltic Avenue, along said avenue to Hanover Avenue, along said avenue to Clove Road, along said road to Mosel Avenue, along said avenue to South Narrows

Road, along said road to a point where South Narrows Road intersects Steuben Street, the point of beginning.

61. **Sixty-first district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where East 14th Street intersects 1st Avenue, thence southerly, along said avenue to East 3rd Street, along said street to Bowery, along Bowery to East 1st Street, along said street to 2nd Avenue, along said avenue to East Houston Street, along said street to Bowery, along Bowery to Spring Street, along said street to Centre Street, along said street to Grand Street, along said street to Lafayette Street, along said street to Howard Street, along said street to Centre Street, along said street to Hester Street, along said street to Mulberry Street, along said street to Canal Street, along said street to Mott Street, along said street to Hester Street, along said street to Elizabeth Street, along said street to Canal Street, along said street to Bowery, along Bowery to Park Row, along Park Row to Frankfort Street, along said street to Dover Street, along said street to South Street, along said street to the Brooklyn Bridge, along said bridge to the county line, along the county line to West 16th Street extended, along said street extended to West 16th Street, along said street to 8th Avenue, along said avenue to Greenwich Avenue, along said avenue to West 13th Street, along said street to 7th Avenue, along said avenue to West 14th Street, along said street to East 14th Street, along said street to Lexington Avenue, along said avenue to East 15th Street, along said street to 3rd Avenue, along said avenue to East 14th Street, along said street to a point where East 14th Street intersects 1st Avenue, the point of beginning, and those areas known as Ellis Island and Liberty Island, each of which is a noncontiguous portion of this county.

62. **Sixty-second district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where Avenue C intersects East 14th Street, thence easterly along said street to East 14th Street extended, along said street extended to the county line, along the county line to the Brooklyn Bridge, along said bridge to South Street, along said street to Dover Street, along said street to Frankfort Street, along said street to Park Row, along Park Row to Bowery, along Bowery to Canal Street, along said street to Elizabeth Street, along said street to Hester Street, along said street to Mott Street, along said street to Canal Street, along said street to Mulberry Street, along said street to Hester Street, along said

street to Centre Street, along said street to Howard Street, along said street to Lafayette Street, along said street to Grand Street, along said street to Centre Street, along said street to Spring Street, along said street to Bowery, along Bowery to East Houston Street, along said street to 2nd Avenue, along said avenue to East 1st Street, along said street to Bowery, along Bowery to East 3rd Street, along said street to Avenue B, along said avenue to East 9th Street, along said street to Avenue D, along said avenue to East 10th Street, along said street to Szold Place, along said place to East 12th Street, along said street to Avenue D, along said avenue to East 13th Street, along said street to Avenue C, along said avenue to a point where Avenue C intersects East 14th Street, the point of beginning.

63. **Sixty-third district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where 2nd Avenue intersects East 55th Street, along said street to 1st Avenue, along said avenue to East 54th Street, along said street to East 54th Street extended, along said street extended to Franklin D. Roosevelt Drive, along said drive to the Queens Midtown Tunnel, along said tunnel to the county line, along the county line to East 14th Street extended, along said street extended to East 14th Street, along said street to Avenue C, along said avenue to East 13th Street, along said street to Avenue D, along said avenue to East 12th Street, along said street to Szold Place, along said place to East 10th Street, along said street to Avenue D, along said avenue to East 9th Street, along said street to Avenue B, along said avenue to East 3rd Street, along said street to 1st Avenue, along said avenue to East 14th Street, along said street to 3rd Avenue, along said avenue to East 15th Street, along said street to Lexington Avenue, along said avenue to East 14th Street, along said street to Park Avenue South, along said avenue to East 25th Street, along said street to Madison Avenue, along said avenue to East 26th Street, along said street to Lexington Avenue, along said avenue to East 31st Street, along said street to 3rd Avenue, along said venue to East 37th Street, along said street to Lexington Avenue, along said avenue to East 45th Street, along said street to 2nd Avenue, along said avenue to a point where 2nd Avenue intersects East 55th Street, the point of beginning.

64. **Sixty-fourth district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where Columbus Avenue intersects West 70th Street,

thence easterly along said street to Central Park West, along Central Park West to Columbus Circle, along the lesser distance of said circle to Broadway, along Broadway to West 53rd Street, along said street to 5th Avenue, along said avenue to East 52nd Street, along said street to Madison Avenue, along said avenue to East 51st Street, along said street to Park Avenue, along said avenue to East 49th Street, along said street to Lexington Avenue, along said avenue to East 47th Street, along said street to 3rd Avenue, along said avenue to East 46th Street, along said street to Lexington Avenue, along said avenue to East 37th Street, along said street to 3rd Avenue, along said avenue to East 31st Street, along said street to Lexington Avenue, along said avenue to East 26th Street, along said street to Madison Avenue, along said avenue to East 25th Street, along said street to Park Avenue South, along said avenue to East 14th Street, along said street to West 14th Street, along said street to 7th Avenue, along said avenue to West 13th Street, along said street to Greenwich Avenue, along said avenue to 8th Avenue, along said avenue to West 16th Street, along said street to West 16th Street extended, along said street extended to the county line, along the county line to West 54th Street extended, along said street extended to West 54th Street, along said street to 11th Avenue, along said avenue to West 53rd Street, along said street to 10th Avenue, along said avenue to West 52nd Street, along said street to 9th Avenue, along said avenue to Columbus Avenue, along said avenue to West 63rd Street, along said street to Broadway, along Broadway to West 64th Street, along said street to Columbus Avenue, along said avenue to a point where Columbus Avenue intersects West 70th Street, the point of beginning.

65. **Sixty-fifth district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where 2nd Avenue intersects East 96th Street, thence easterly along said street to East 96th Street extended, along said street extended to the county line, along the county line to the Queens Midtown Tunnel, along said tunnel to Franklin D. Roosevelt Drive, along said drive to East 54th Street extended, along said street extended to East 54th Street, along said street to 1st Avenue, along said avenue to East 55th Street, along said street to 2nd Avenue, along said avenue to East 86th Street, along said street to 3rd Avenue, along said avenue to East 87th Street, along said street to 2nd Avenue, along said avenue to East 88th Street, along said street to 3rd Avenue, along said avenue to East 92nd Street, along said street to 2nd Avenue, along said av-

enue to East 93rd Street, along said street to 3rd Avenue, along said avenue to East 94th Street, along said street to Lexington Avenue, along said avenue to East 95th Street, along said street to 2nd Avenue, along said avenue to a point where 2nd Avenue intersects East 96th Street, the point of beginning.

66. **Sixty-sixth district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where East 96th Street intersects Park Avenue, thence southerly along said avenue to East 95th Street, along said street to Lexington Avenue, along said avenue to East 94th Street, along said street to 3rd Avenue, along said avenue to East 93rd Street, along said street to 2nd Avenue, along said avenue to East 92nd Street, along said street to 3rd Avenue, along said avenue to East 88th Street, along said street to 2nd Avenue, along said avenue to East 87th Street, along said street to 3rd Avenue, along said avenue to East 86th Street, along said street to 2nd Avenue, along said avenue to East 45th Street, along said street to Lexington Avenue, along said avenue to East 46th Street, along said street to 3rd Avenue, along said avenue to East 47th Street, along said street to Lexington Avenue, along said avenue to East 49th Street, along said street to Park Avenue, along said avenue to East 51st Street, along said street to Madison Avenue, along said avenue to East 52nd Street, along said street to 5th Avenue, along said avenue to West 53rd Street, along said street to Broadway, along Broadway to Columbus Circle, along the lesser distance of said circle to Central Park South, along Central Park South to 5th Avenue, along said avenue to East 96th Street, along said street to a point where East 96th Street intersects Park Avenue, the point of beginning.

67. **Sixty-seventh district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where West 95th Street intersects Amsterdam Avenue, thence southerly along said avenue to West 88th Street, along said street to Columbus Avenue, along said avenue to West 86th Street, along said street to Central Park West, along Central Park West to West 70th Street, along said street to Columbus Avenue, along said avenue to West 64th Street, along said street to Broadway, along Broadway to West 63rd Street, along said street to Columbus Avenue, along said avenue to 9th Avenue, along said avenue to West 52nd Street, along said street to 10th Avenue, along said avenue to West 53rd Street, along said street to 11th Avenue, along said avenue to West 54th Street, along said street to West 54th Street extended, along said street ex-

tended to the county line, along the county line to West 95th Street extended, along said street extended to West 95th Street, along said street to a point where West 95th Street intersects Amsterdam Avenue, the point of beginning.

68. **Sixty-eighth district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where the Willis Avenue Bridge intersects the county line, thence easterly and southerly along the county line to East 96th Street extended, along said street extended to East 96th Street, along said street to 2nd Avenue, along said avenue to East 95th Street, along said street to Park Avenue, along said avenue to East 96th Street, along said street to 5th Avenue, along said avenue to Transverse Road Number Four, along said road to Central Park West, along Central Park West to Cathedral Parkway, along said parkway to Manhattan Avenue, along said avenue to West 112th Street, along said street to 8th Avenue, along said avenue to West 113th Street, along said street to Morningside Avenue, along said avenue to West 114th Street, along said street to Manhattan Avenue, along said avenue to West 116th Street, along said street to Lenox Avenue, along said avenue to West 117th Street, along said street to 5th Avenue, along said avenue to East 119th Street, along said street to Madison Avenue, along said avenue to East 120th Street, along said street to West 120th Street, along said street to Mt. Morris Park West, along Mt. Morris Park West to West 124th Street, along said street to 5th Avenue, along said avenue to East 125th Street, along said street to Park Avenue, along said avenue to East 126th Street, along said street to Lexington Avenue, along said avenue to East 125th Street, along said street to 2nd Avenue, along said avenue to East 124th Street, along said street to 1st Avenue, along said avenue to the Willis Avenue Bridge, along said bridge to a point where the Willis Avenue Bridge intersects the county line, the point of beginning.

69. **Sixty-ninth district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where Broadway intersects West 125th Street, thence southeasterly along West 125th Street to St. Nicholas Avenue, along said avenue to Manhattan Avenue, along said avenue to West 123rd Street, along said street to Morningside Avenue, along said avenue to West 116th Street, along said street to Manhattan Avenue, along said avenue to West 114th Street, along said street to Morningside Avenue, along said avenue to West 113th Street, along said street to 8th Avenue, along said

avenue to West 112th Street, along said street to Manhattan Avenue, along said avenue to Cathedral Parkway, along said parkway to Central Park West, along Central Park West to Transverse Road Number Four, along said road to 5th Avenue, along said avenue to Central Park South, along Central Park South to Columbus Circle, along the lesser distance of said circle to Central Park West, along Central Park West to West 86th Street, along said street to Columbus Avenue, along said avenue to West 88th Street, along said street to Amsterdam Avenue, along said avenue to West 95th Street, along said street to West 95th Street extended, along said street extended to the county line, along the county line to West 129th Street extended, along said street extended to West 129th Street, along said street to St. Clair Place, along said place to Tiemann Place, along said place to Claremont Avenue, along said avenue to LaSalle Street, along said street to Broadway, along Broadway to a point where Broadway intersects West 125th Street, the point of beginning.

70. **Seventieth district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where West 145th Street intersects Bradhurst Avenue, thence southerly along said avenue to West 144th Street, along said street to Lenox Avenue, along said avenue to West 143rd Street, along said street to West 143rd Street extended, along said street extended to the county line, along the county line to the Willis Avenue Bridge, along said bridge to 1st Avenue, along said avenue to East 124th Street, along said street to 2nd Avenue, along said avenue to East 125th Street, along said street to Lexington Avenue, along said avenue to East 126th Street, along said street to Park Avenue, along said avenue to East 125th Street, along said street to 5th Avenue, along said avenue to West 124th Street, along said street to Mt. Morris Park West, along Mt. Morris Park West to West 120th Street, along said street to East 120th Street, along said street to Madison Avenue, along said avenue to East 119th Street, along said street to 5th Avenue, along said avenue to West 117th Street, along said street to Lenox Avenue, along said avenue to West 116th Street, along said street to Morningside Avenue, along said avenue to West 123rd Street, along said street to Manhattan Avenue, along said avenue to St. Nicholas Avenue, along said avenue to West 125th Street, along said street to Broadway, along Broadway to LaSalle Street, along said street to Claremont Avenue, along said avenue to Tiemann Place, along said place to St. Clair Place, along said place to West 129th Street, along said street to West 129th Street extended, along said street extended to the

county line, along the county line to West 143rd Street extended, along said street extended to West 143rd Street, along said street to Amsterdam Avenue, along said avenue to West 144th Street, along said street to Convent Avenue, along said avenue to West 145th Street, along said street to a point where West 145th Street intersects Bradhurst Avenue, the point of beginning.

71. **Seventy-first district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where West 178th Street intersects Audubon Avenue, thence southerly along said avenue to West 177th Street, along said street to West 177th Street extended, along said street extended to the county line, along the county line to West 143rd Street extended, along said street extended to West 143rd Street, along said street to Lenox Avenue, along said avenue to West 144th Street, along said street to Bradhurst Avenue, along said avenue to West 145th Street, along said street to Convent Avenue, along said avenue to West 144th Street, along said street to Amsterdam Avenue, along said avenue to West 143rd Street, along said street to West 143rd Street extended, along said street extended to the county line, along the county line to the George Washington Bridge, along said bridge to Cabrini Boulevard, along said boulevard to West 177th Street, along said street to Broadway, along Broadway to West 177th Street, along said street to St. Nicholas Avenue, along said avenue to West 178th Street, along said street to a point where West 178th Street intersects Audubon Avenue, the point of beginning.

72. **Seventy-second district.** That part of the county of New York bounded by a line described as follows: Beginning at a point where Amsterdam Avenue intersects West 177th Street, thence westerly along said street to Audubon Avenue, along said avenue to West 178th Street, along said street to St. Nicholas Avenue, along said avenue to West 177th Street, along said street to Broadway, along Broadway to West 177th Street, along said street to Cabrini Boulevard, along said boulevard to the George Washington Bridge, along said bridge to the county line, northerly, easterly, and southerly along the county line to West 177th Street extended, along said street extended to West 177th Street, along said street to a point where West 177th Street intersects Amsterdam Avenue, the point of beginning.

73. **Seventy-third district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where University Avenue intersects West 166th Street, thence easterly along West 166th Street to Anderson Avenue, along said

avenue to Jerome Avenue, along said avenue to East 164th Street, along said street to River Avenue, along said avenue to East 165th Street, along said street to Walton Avenue, along said avenue to East 164th Street, along said street to Sheridan Avenue, along said avenue to East 164th Street, along said street to Morris Avenue, along said avenue to East 165th Street, along said street to Teller Avenue, along said avenue to Park Avenue, along said avenue to East 158th Street, along said street to Courtlandt Avenue, along said avenue to East 156th Street, along said street to Elton Avenue, along said avenue to East 157th Street, along said street to Third Avenue, along said avenue to East 156th Street, along said street to St. Ann's Avenue, along said avenue to East 159th Street, along said street to Eagle Avenue, along said avenue to East 156th Street, along said street to Forest Avenue, along said avenue to East 158th Street, along said street to Tinton Avenue, along said avenue to East 156th Street, along said street to Union Avenue, along said avenue to East 152nd Street, along said street to Kelly Street, along said street to St. John's Avenue, along said avenue to Beck Street, along said street to Leggett Avenue, along said avenue to Fox Street, along said street to East 156th Street, along said street to Bruckner Expressway, along said expressway to the center of Bronx River, along the center of the Bronx River to the center of the Bronx River extended, from that location along a line to Hunt's Point, from Hunt's Point along a line to the location where the boundaries of the counties of Bronx, New York, and Queens are found to intersect, from that location along the county line to the Macombs Dam Bridge, along said bridge to Major Deegan Expressway, along said expressway to West 165th Street extended, along said street extended to West 165th Street, along said street to University Avenue, along said avenue to a point where University Avenue intersects West 166th Street, the point of beginning.

74. **Seventy-fourth district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where Wood Avenue intersects with White Plains Road, thence southerly along White Plains Road to Cross Bronx Expressway, along said expressway to Pugsley Avenue, along said avenue to Gleason Avenue, along said avenue to Cross Bronx Expressway South Service Road, along said road to Haviland Avenue, along said avenue to Olmstead Avenue, along said avenue to Blackrock Avenue, along said avenue to Castle Hill Avenue, along said avenue to Chatterton Avenue, along said avenue to Olmstead Avenue, along said avenue to Olmstead Avenue con-

nected, along said avenue connected to Olmstead Avenue, along said avenue to Norton Avenue, along said avenue to Norton Avenue extended, along said avenue extended to the center of Westchester Creek, along the center of said creek to the center of Westchester Creek extended, along the center of said creek extended to the county line, along the county line to the location where the boundaries of the counties of Bronx, New York, and Queens are found to intersect, from that location along a line to Hunt's Point, from Hunt's Point along a line to the center of the Bronx River extended, along the center of said river extended to the center of the Bronx River, along said river to Bruckner Expressway, along said expressway to East 156th Street, along said street to Beck Street, along said street to Tiffany Street, along said street to Home Street, along said street to Fox Street, along said street to Intervale Avenue, along said avenue to Jennings Street, along said street to Stebbins Avenue, along said avenue to Boston Road, along said road to East 172nd Street, along said street to East 172nd Street connected, along said street connected to Bronx River Avenue, along said avenue to East 173rd Street, along said street to East 174th Street, along said street to Metcalf Avenue, along said avenue to East 172nd Street, along said street to Croes Avenue, along said avenue to East 174th Street, along said street to Wood Avenue, along said avenue to a point where Wood Avenue intersects White Plains Road, the point of beginning.

75. **Seventy-fifth district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where Norton Avenue intersects Olmstead Avenue, thence northerly along Olmstead Avenue to Olmstead Avenue connected, along said avenue connected to Olmstead Avenue, along said avenue to Chatterton Avenue, along said avenue to Castle Hill Avenue, along said avenue to Blackrock Avenue, along said avenue to Olmstead Avenue, along said avenue to Haviland Avenue, along said avenue to Cross Bronx Expressway South Service Road, along said road to Gleason Avenue, along said avenue to Pugsley Avenue, along said avenue to Cross Bronx Expressway, along said expressway to White Plains Road, along said road to Wood Avenue, along said avenue to Leland Avenue, along said avenue to Guerlain Street, along said street to White Plains Road, along said road to Unionport Road, along said road to Victor Street, along said street to Morris Park Avenue, along said avenue to Unionport Road, along said road to Amethyst Street, along said street to Sagamore Street, along said street to Hunt Avenue, along said avenue to Bronxdale Avenue, along said ave-

nue to Antin Place, along said place to Wallace Avenue, along said avenue to Brady Avenue, along said avenue to Bogart Avenue, along said avenue to Neill Avenue, along said avenue to Williamsbridge Road, along said road to Rhinelander Avenue, along said avenue to Hering Avenue, along said avenue to Morris Park Avenue, along said avenue to Colden Avenue, along said avenue to Sacket Avenue, along said avenue to Williamsbridge Road, along said road to Roberts Avenue, along said avenue to Blondell Avenue, along said avenue to Fink Avenue, along said avenue to East Tremont Avenue, along said avenue to Bruckner Boulevard North, along said boulevard to Bruckner Boulevard West, along said boulevard to Country Club Road, along said road to MacDonough Place, along said place to Bruckner Boulevard East, along said boulevard to Middletown Road, along said road to Middletown Road extended, along said road extended to the center of Eastchester Bay, along the center of Eastchester Bay to the center of Eastchester Bay extended, along the center of Eastchester Bay extended to the county line, along the county line to the center of Westchester Creek extended, along the center of said creek extended to the center of Westchester Creek, along the center of said creek to Norton Avenue extended, along said avenue extended to Norton Avenue, along said avenue to a point where Norton Avenue intersects Olmstead Avenue, the point of beginning.

76. Seventy-sixth district. That part of the county of Bronx bounded by a line described as follows: Beginning at a point where East Tremont Avenue intersects Webster Avenue, thence southwesterly along Webster Avenue to East 167th Street, along said street to Brook Avenue, along said avenue to Webster Avenue, along said avenue to East 165th Street, along said street to Morris Avenue, along said avenue to East 164th Street, along said street to Sheridan Avenue, along said avenue to East 164th Street, along said street to Walton Avenue, along said avenue to East 165th Street, along said street to River Avenue, along said avenue to East 164th Street, along said street to Jerome Avenue, along said avenue to Anderson Avenue, along said avenue to West 166th Street, along said street to University Avenue, along said avenue to West 165th Street, along said street to West 165th Street extended, along said street extended to Major Deegan Expressway, along said expressway to the Macombs Dam Bridge, along said bridge to the county line, along the county line to West Tremont Avenue extended, along said avenue extended to West Tremont Avenue, along said avenue to Major Deegan Expressway, along said expressway to West

Burnside Avenue, along said avenue to Andrews Avenue South, along said avenue to West Tremont Avenue, along said avenue to University Avenue, along said avenue to Macombs Road, along said road to West 175th Street, along said street to Grand Avenue, along said avenue to West 176th Street, along said street to Jerome Avenue, along said avenue to East 175th Street, along said street to Grand Boulevard and Concourse, along Grand Boulevard and Concourse to East 176th Street, along said street to Anthony Avenue, along said avenue to East Tremont Avenue, along said avenue to a point where East Tremont Avenue intersects Webster Avenue, the point of beginning.

77. **Seventy-seventh district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where West Kingsbridge Road intersects Bailey Avenue, thence southwesterly along Bailey Avenue to West 193rd Street, along said street to Heath Avenue, along said avenue to Kingsbridge Terrace, along said terrace to West Kingsbridge Road, along said road to Webb Avenue, along said avenue to West 190th Street, along said street to University Avenue, along said avenue to West 192nd Street, along said street to Aqueduct Avenue West, along said avenue to West 190th Street, along said street to Grand Avenue, along said avenue to West 192nd Street, along said street to Davidson Avenue, along said avenue to West Kingsbridge Road, along said road to East Kingsbridge Road, along said road to Grand Boulevard and Concourse, along Grand Boulevard and Concourse to East 192nd Street, along said street to Valentine Avenue, along said avenue to East 194th Street, along said street to Marion Avenue, along said avenue to East 193rd Street, along said street to Webster Avenue, along said avenue to East Fordham Road, along said road to Third Avenue, along said avenue to East 189th Street, along said street to Park Avenue, along said avenue to East 188th Street, along said street to Third Avenue, along said avenue to East 187th Street, along said street to Washington Avenue, along said avenue to East 183rd Street, along said street to Third Avenue, along said avenue to East 184th Street, along said street to Quarry Road, along said road to Third Avenue, along said avenue to East 180th Street, along said street to Bathgate Avenue, along said avenue to East 179th Street, along said street to Washington Avenue, along said avenue to East Tremont Avenue, along said avenue to Anthony Avenue, along said avenue to East 176th Street, along said street to Grand Boulevard and Concourse, along Grand Boulevard and Concourse to East 175th Street, along said street to Jerome Avenue, along said

avenue to West 176th Street, along said street to Grand Avenue, along said avenue to West 175th Street, along said street to Macombs Road, along said road to University Avenue, along said avenue to West Tremont Avenue, along said avenue to Andrews Avenue South, along said avenue to West Burnside Avenue, along said avenue to Major Deegan Expressway, along said expressway to West Tremont Avenue, along said avenue to West Tremont Avenue extended, along said avenue extended to the county line, along the county line to West 225th Street, along said street to West Kingsbridge Road, along said road to a point where West Kingsbridge Road intersects Bailey Avenue, the point of beginning.

78. **Seventy-eighth district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where Quarry Road intersects East 182nd Street, thence easterly along East 182nd Street to Arthur Avenue, along said avenue to East 181st Street, along said street to Hughes Avenue, along said avenue to East 182nd Street, along said street to Grote Street, along said street to Southern Boulevard, along said boulevard to Bronx Park South, along Bronx Park South to Boston Road, along said road to East 180th Street, along said street to Morris Park Avenue, along said avenue to Victor Street, along said street to Unionport Road, along said road to White Plains Road, along said road to Guerlain Street, along said street to Leland Avenue, along said avenue to Wood Avenue, along said avenue to East 174th Street, along said street to Croes Avenue, along said avenue to East 172nd Street, along said street to Metcalf Avenue, along said avenue to East 174th Street, along said street to East 173rd Street, along said street to Bronx River Avenue, along said avenue to East 172nd Street connected, along said street connected to East 172nd Street, along said street to Boston Road, along said road to Stebbins Avenue, along said avenue to Jennings Street, along said street to Intervale Avenue, along said avenue to Fox Street, along said street to Home Street, along said street to Tiffany Street, along said street to Beck Street, along said street to East 156th Street, along said street to Fox Street, along said street to Leggett Avenue, along said avenue to Beck Street, along said street to St. John's Avenue, along said avenue to Kelly Street, along said street to East 152nd Street, along said street to Union Avenue, along said avenue to East 156th Street, along said street to Tinton Avenue, along said avenue to East 158th Street, along said street to Forest Avenue, along said avenue to East 156th Street, along said street to Eagle Avenue, along said avenue to East 159th

Street, along said street to St. Ann's Avenue, along said avenue to East 156th Street, along said street to Third Avenue, along said avenue to East 157th Street, along said street to Elton Avenue, along said avenue to East 156th Street, along said street to Courtlandt Avenue, along said avenue to East 158th Street, along said street to Park Avenue, along said avenue to Teller Avenue, along said avenue to East 165th Street, along said street to Webster Avenue, along said avenue to Brook Avenue, along said avenue to East 167th Street, along said street to Webster Avenue, along said avenue to East Tremont Avenue, along said avenue to Washington Avenue, along said avenue to East 179th Street, along said street to Bathgate Avenue, along said avenue to East 180th Street, along said street to Third Avenue, along said avenue to Quarry Road, along said road to a point where Quarry Road intersects East 182nd Street, the point of beginning.

79. **Seventy-ninth district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where East Gun Hill Road intersects Bronx Boulevard, thence southerly along Bronx Boulevard to Bronx Park East, along Bronx Park East to Allerton Avenue, along said avenue to Holland Avenue, along said avenue to Mace Avenue, along said avenue to Wallace Avenue, along said avenue to Astor Avenue, along said avenue to Holland Avenue, along said avenue to Pelham Parkway North, along said parkway to Wallace Avenue extended, along said avenue extended to Wallace Avenue, along said avenue to Antin Place, along said place to Bronxdale Avenue, along said avenue to Hunt Avenue, along said avenue to Sagamore Street, along said street to Amethyst Street, along said street to Unionport Road, along said road to Morris Park Avenue, along said avenue to East 180th Street, along said street to Boston Road, along said road to Bronx Park South, along Bronx Park South to Southern Boulevard, along said boulevard to Grote Street, along said street to East 182nd Street, along said street to Hughes Avenue, along said avenue to East 181st Street, along said street to Arthur Avenue, along said avenue to East 182nd Street, along said street to Quarry Road, along said road to East 184th Street, along said street to Third Avenue, along said avenue to East 183rd Street, along said street to Washington Avenue, along said avenue to East 187th Street, along said street to Third Avenue, along said avenue to East 188th Street, along said street to Park Avenue, along said avenue to East 189th Street, along said street to Third Avenue, along said avenue to East Fordham Road, along said road to Webster Avenue, along

said avenue to East 193rd Street, along said street to Marion Avenue, along said avenue to East 194th Street, along said street to Valentine Avenue, along said avenue to East 192nd Street, along said street to Grand Boulevard and Concourse, along Grand Boulevard and Concourse to East Kingsbridge Road, along said road to West Kingsbridge Road, along said road to Davidson Avenue, along said avenue to West 192nd Street, along said street to Grand Avenue, along said avenue to West 190th Street, along said street to Aqueduct Avenue West, along said avenue to West Kingsbridge Road, along said road to Goulden Avenue, along said avenue to Strong Street, along said street to University Avenue, along said avenue to West 197th Street, along said street to Reservoir Avenue, along said avenue to Sedgwick Avenue, along said avenue to Heath Avenue, along said avenue to Fort Independence Street, along said street to Orloff Avenue, along said avenue to an unnamed street, along said street to Cannon Place, along said place to Orloff Avenue, along said avenue to Van Cortlandt Avenue West, along said avenue to Saxon Avenue, along said avenue to Van Cortlandt Park South, along Van Cortlandt Park South to West Gun Hill Road, along said road to East Gun Hill Road, along said road to a point where East Gun Hill Road intersects Bronx Boulevard, the point of beginning.

80. **Eightieth district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where White Plains Road intersects East 241st Street, thence southeasterly along East 241st Street to Furman Avenue, along said avenue to Nereid Avenue, along said avenue to Barnes Avenue, along said avenue to Digney Avenue, along said avenue to Pitman Avenue, along said avenue to Barnes Avenue, along said avenue to East 233rd Street, along said street to White Plains Road, along said road to East 234th Street, along said street to Bronx Boulevard, along said boulevard to East Gun Hill Road, along said road to West Gun Hill Road, along said road to Van Cortlandt Park South, along Van Cortlandt Park South to Saxon Avenue, along said avenue to Sedgwick Avenue, along said avenue to Van Cortlandt Avenue West, along said avenue to Orloff Avenue, along said avenue to Cannon Place, along said place to unnamed street, along said street to Orloff Avenue, along said avenue to Fort Independence Street, along said street to Heath Avenue, along said avenue to Sedgwick Avenue, along said avenue to Reservoir Avenue, along said avenue to West 197th Street, along said street to University Avenue, along said avenue to Strong Street, along said street to Goulden Avenue, along said avenue to West Kingsbridge Road, along said road to Aqueduct

Avenue West, along said avenue to West 192nd Street, along said street to University Avenue, along said avenue to West 190th Street, along said street to Webb Avenue, along said avenue to West Kingsbridge Road, along said road to Kingsbridge Terrace, along said terrace to Heath Avenue, along said avenue to West 193rd Street, along said street to Bailey Avenue, along said avenue to West Kingsbridge Road, along said road to West 225th Street, along said street to the county line, along the county line to White Plains Road, along said road to a point where White Plains Road intersects East 241st Street, the point of beginning.

81. **Eighty-first district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where Middletown Road intersects Bruckner Boulevard East, thence southerly along Bruckner Boulevard East to MacDonough Place, along said place to Country Club Road, along said road to Bruckner Boulevard West, along said boulevard to Bruckner Boulevard North, along said boulevard to East Tremont Avenue, along said avenue to Fink Avenue, along said avenue to Blondell Avenue, along said avenue to Roberts Avenue, along said avenue to Williamsbridge Road, along said road to Sacket Avenue, along said avenue to Colden Avenue, along said avenue to Morris Park Avenue, along said avenue to Hering Avenue, along said avenue to Rhinelander Avenue, along said avenue to Williamsbridge Road, along said road to Neill Avenue, along said avenue to Bogart Avenue, along said avenue to Brady Avenue, along said avenue to Wallace Avenue, along said avenue to Wallace Avenue extended, along said avenue extended to Pelham Parkway North, along said parkway to Holland Avenue, along said avenue to Astor Avenue, along said avenue to Wallace Avenue, along said avenue to Mace Avenue, along said avenue to Holland Avenue, along said avenue to Allerton Avenue, along said avenue to White Plains Road, along said road to Burke Avenue, along said avenue to Laconia Avenue, along said avenue to Allerton Avenue, along said avenue to Bouck Avenue, along said avenue to Burke Avenue, along said avenue to East Gun Hill Road, along said road to Bartow Avenue, along said avenue to New England Thruway, along said thruway to Conner Street, along said street to Hollers Avenue, along said avenue to New England Thruway, along said thruway to the county line, along the county line to the center of Eastchester Bay extended, along the center of Eastchester Bay extended to the center of Eastchester Bay, along the center of said bay to Middletown Road extended, along said road extended to Middletown Road, along said road to a point where Middle-

town Road intersects Bruckner Boulevard East, the point of beginning.

82. **Eighty-second district.** That part of the county of Bronx bounded by a line described as follows: Beginning at a point where New England Thruway intersects Hollers Avenue, thence northwesterly, along Hollers Avenue to Conner Street, along said street to New England Thruway, along said thruway to Bartow Avenue, along said avenue to East Gun Hill Road, along said road to Burke Avenue, along said avenue to Bouck Avenue, along said avenue to Allerton Avenue, along said avenue to Laconia Avenue, along said avenue to Burke Avenue, along said avenue to White Plains Road, along said road to Allerton Avenue, along said avenue to Bronx Park East, along Bronx Park East to Bronx Boulevard, along said boulevard to East 234th Street, along said street to White Plains Road, along said road to East 233rd Street, along said street to Barnes Avenue, along said avenue to Pitman Avenue, along said avenue to Digney Avenue, along said avenue to Barnes Avenue, along said avenue to Nereid Avenue, along said avenue to Furman Avenue, along said avenue to East 241st Street, along said street to White Plains Road, along said road to the county line, along the county line to New England Thruway, along said thruway to a point where New England Thruway intersects Hollers Avenue, the point of beginning.

83. **Eighty-third district.** In the county of Westchester, that part of the city of Yonkers bounded by a line described as follows: Beginning at a point where Glenwood Avenue intersects Grove Street, thence southerly along Grove Street to Glenwood Avenue, along said avenue to North Broadway, along North Broadway to Shonnard Place, along said place to Palisade Avenue, along said avenue to Mt. Pleasant Road, along said road to Park Avenue, along said avenue to Belmont Terrace, along said terrace to Amackassin Terrace, along said terrace to Eastview Avenue, along said avenue to Portland Place, along said place to Shonnard Place, along said place to Voss Avenue, along said avenue to Ridge Avenue, along said avenue to Father Finian Sullivan Drive, along said drive to Vineyard Avenue, along said avenue to High Street, along said street to Orchard Street, along said street to Orchard Place, along said place to Nepperhan Avenue, along said avenue to Ashburton Avenue, along said avenue to Yonkers Avenue, along said avenue to Cross County Parkway, along said parkway to the city limit, southerly along the city limit to Glenwood Avenue extended, along said avenue extended

to Glenwood Avenue, along said avenue to a point where Glenwood Avenue intersects Grove Street, the point of beginning.

84. Eighty-fourth district. In the county of Westchester, the towns of Eastchester and Scarsdale, that part of the city of New Rochelle bounded by a line described as follows: Beginning at a point where Hillary Circle intersects Ramona Court, northwesterly along Ramona Court to Donald Drive, along said drive to Amhearst Drive, along said drive to Pine Brook Boulevard, along said boulevard to Van Etten Boulevard, along said boulevard to Victory Boulevard, along said boulevard to Hanson Lane, along said lane to Hutchinson River Parkway, along said parkway to the city limit northerly along the city limit to Hillary Circle, along said circle to a point where Hillary Circle intersects Ramona Court, the point of beginning; that part of the city of White Plains bounded by a line described as follows: Beginning at a point where Maple Avenue intersects Summit Avenue and thence southeasterly along Summit Avenue to Rathbun Avenue, along said avenue to Osborne Street, along said street to Howard Avenue, along said avenue to Prospect Street, along said street to Lexington Avenue South, along said avenue to Bryant Avenue, along said avenue to Mamaroneck Avenue, along said avenue to Gedney Way, along said way to Old Mamaroneck Road, along said road to the city limit, northerly along the city limit to West New York Post Road, along said road to Maple Avenue, along said avenue to a point where Maple Avenue intersects Summit Avenue, the point of beginning; and that part of the city of Yonkers bounded by a line described as follows: Beginning at a point where Keystone Road intersects Fort Hill Road, thence southeasterly along Fort Hill Road to Central Park Avenue, along said avenue to the city limit, northeasterly along the city limit to Cross County Parkway, along said parkway to Yonkers Avenue, along said avenue to Ashburton Avenue, along said avenue to Nepperhan Avenue, along said avenue to Orchard Place, along said place to Orchard Street, along said street to High Street, along said street to Vineyard Avenue, along said avenue to Father Finian Sullivan Drive, along said drive to Ridge Avenue, along said avenue to Voss Avenue, along said avenue to Shonnard Place, along said place to Portland Place, along said place to Eastview Avenue, along said avenue to Amackassin Terrace, along said terrace to Belmont Terrace, along said terrace to Park Avenue, along said avenue to Mt. Pleasant Road, along said road to Palisade Avenue, along said avenue to Douglas Avenue, along said avenue to Park Avenue, along said avenue to Park Avenue Terrace, along said terrace to

Bellevue Place, along said place to Bellevue Avenue, along said avenue to Annsville Trail, along said trail to Valley Avenue, along said avenue to Corbalis Place, along said place to Crossbill Avenue, along said avenue to Nepperhan Avenue, along said avenue to Torre Place, along said place to Islin Street, along said street to Saw Mill River Road, along said road to Rossiter Avenue, along said avenue to Hill Terrace, along said terrace to Rockne Road, along said road to Tuckahoe Road, along said road to New York State Thruway, along said thruway to the Catskill Aqueduct, along the Catskill Aqueduct to Sprain Brook Parkway, along said parkway to Tuckahoe Road, along said road to Central Park Avenue, along said avenue to Roxbury Drive, along said drive to Remsen Road, along said road to Remsen Circle, along said circle to Young Avenue, along said avenue to Hearthstone Road, along said road to Keystone Road, along said road to a point where Keystone Road intersects Fort Hill Road, the point of beginning.

85. **Eighty-fifth district.** In the county of Westchester, the towns of Mamaroneck and Rye, and the city of Rye and that part of the city of New Rochelle bounded by a line described as follows: Beginning at a point where Hutchinson River Parkway intersects Hanson Lane, thence southerly along Hanson Lane to Victory Boulevard, along said boulevard to Van Etten Boulevard, along said boulevard to Pine Brook Boulevard, along said boulevard to Amhearst Drive, along said drive to Donald Drive, along said drive to Ramona Court, along said court to Hillary Circle, along said circle to the city limit, along the city limit to its second intersection with Boston Post Road, along said road to Weyman Avenue, along said avenue to Elm Street, along said street to Drake Avenue, along said avenue to Pelham Road, along said road to Echo Avenue, along said avenue to Boston Post Road, along said road to River Street, along said street to Palmer Avenue, along said avenue to Petersville Road, along said road to Potter Avenue, along said avenue to Fifth Avenue, along said avenue to Pinebrook Road, along said road to Beechmont Drive, along said drive to Pell Place, along said place to Pryor Place, along said place to Pryor Terrace, along said terrace to Montgomery Place, along said place to Beechmont Drive, along said drive to North Avenue, along said avenue to Mayflower Avenue, along said avenue to the city limit, northerly along the city limit to Hutchinson River Parkway, along said parkway to the intersection of Hutchinson River Parkway and Hanson Lane, the point of beginning.

86. **Eighty-sixth district.** In the county of Westchester, the town of Greenburgh and that part of the city of Yonkers bounded by a line described as follows: Beginning at a point where Fort Hill Road intersects Keystone Road, thence southwesterly along Keystone Road to Hearthstone Road, along said road to Young Avenue, along said avenue to Remsen Circle, along said circle to Remsen Road, along said road to Roxbury Drive, along said drive to Central Park Avenue, along said avenue to Tuckahoe Road, along said road to Sprain Brook Parkway, along said parkway to the Catskill Aqueduct, along the Catskill Aqueduct to New York State Thruway, along said thruway to Tuckahoe Road, along said road to Rockne Road, along said road to Hill Terrace, along said terrace to Rossiter Avenue, along said avenue to Saw Mill River Road, along said road to Islin Street, along said street to Torre Place, along said place to Nepperhan Avenue, along said avenue to Crossbill Avenue, along said avenue to Corbalis Place, along said place to Valley Avenue, along said avenue to Annsville Trail, along said trail to Bellevue Avenue, along said avenue to Bellevue Place, along said place to Park Avenue Terrace, along said terrace to Park Avenue, along said avenue to Douglas Avenue, along said avenue to Palisade Avenue, along said avenue to Shonnard Place, along said place to North Broadway, along North Broadway to Glenwood Avenue, along said avenue to Grove Street, along said street to Glenwood Avenue, along said avenue to Glenwood Avenue extended, along said avenue extended to the city limit, northerly along the city limit to Central Park Avenue, along said avenue to Fort Hill Road, along said road to a point where Fort Hill Road intersects Keystone Road, the point of beginning.

87. **Eighty-seventh district.** In the county of Westchester, the towns of Harrison, Mount Pleasant, and North Castle and that part of the city of White Plains bounded by a line described as follows: Beginning at a point where Old Mamaroneck Road intersects Gedney Way, thence southeasterly along Gedney Way to Mamaroneck Road, along said road to Bryant Avenue, along said avenue to Lexington Avenue South, along said avenue to Prospect Street, along said street to Howard Avenue, along said avenue to Osborne Street, along said street to Rathbun Avenue, along said avenue to Summit Avenue, along said avenue to Maple Avenue, along said avenue to West New York Post Road, along said road to the city limit, northwesterly along the city limit to Old Mamaroneck Road, along said road to a point where Old Mamaroneck Road intersects Gedney Way, the point of beginning.

88. **Eighty-eighth district.** In the county of Westchester, the town of Pelham, the city of Mount Vernon and that part of the city of New Rochelle bounded by a line described as follows: Beginning at a point where Mayflower Avenue intersects North Avenue, thence northerly along North Avenue to Beechmont Drive, along said drive to Montgomery Place, along said place to Pryor Terrace, along said terrace to Pryor Place, along said place to Pell Place, along said place to Beechmont Drive, along said drive to Pinebrook Road, along said road to Fifth Avenue, along said avenue to Potter Avenue, along said avenue to Petersville Road, along said road to Palmer Avenue, along said avenue to River Street, along said street to Boston Post Road, along said road to Echo Avenue, along said avenue to Pelham Road, along said road to Drake Avenue, along said avenue to Elm Street, along said street to Weyman Avenue, along said avenue to Boston Post Road, along said road to the city limit, northerly along the city limit to Mayflower Avenue, along said avenue to a point where Mayflower Avenue intersects North Avenue, the point of beginning.

89. **Eighty-ninth district.** In the county of Westchester, the towns of Bedford, Mount Kisco, New Castle, Ossining, Somers and Yorktown.

90. **Ninetieth district.** In the county of Dutchess, the towns of Amenia, Beekman, Dover, Pawling, and Union Vale; in the county of Putnam, the towns of Carmel, Kent, Patterson, Putnam Valley and Southeast; in the county of Westchester, the towns of Lewisboro, North Salem, and Pound Ridge.

91. **Ninety-first district.** In the county of Orange, the towns of Highlands, Monroe, and Woodbury; in the county of Putnam, the town of Philipstown; in the county of Rockland, the town of Stony Point; and in the county of Westchester, the town of Cortlandt and the city of Peekskill.

92. **Ninety-second district.** In the county of Rockland, the towns of Clarkstown, Haverstraw, and that part of the town of Ramapo bounded by a line described as follows: Beginning at a point where New Hempstead Road intersects Summit Park Road, thence northerly along Summit Park Road to Pomona Road, along said road to the Pomona village limit, along said village limit so as to include said village to State Highway 306, along said highway to Limekiln Road, along said road to Doe Drive, along said drive to Fawn Lane, along said lane to Limekiln Road, along said road to Haverstraw Road, along said road to the Pomona village limit, along said village limit to the Rama-

po town line, easterly along the Ramapo town line to the New Square village limit, along said village limit so as to exclude said village to State Highway 45, along said highway to New Hempstead Road, along said road to the point where New Hempstead Road intersects Summit Park Road, the point of beginning.

93. **Ninety-third district.** In the county of Rockland, the town of Orangetown and that part of the town of Ramapo bounded by a line described as follows: Beginning at a point where Summit Park Road intersects Sandy Brook Drive, thence easterly along Summit Park Road to New Hempstead Road, along said road to State Highway 45, along said highway to the New Square village limit, along said village limit so as to include said village to the town line, along the town line to Shuart Road, along said road to Eton Place, along said place to Dale Road, along said road to Kent Road, along said road to Eros Drive, long said drive to Smith Hill Road, along said road to Lorna Lane, along said lane to Victoria Drive, along said drive to Heather Drive, along said drive to Dawn Lane, along said lane to its first intersection with Blossom Road, along said road to Cherry Lane, along said lane to Nyack Turnpike, along said turnpike to Hemion Road, along said road to the Suffern village limit, along said village limit so as to exclude said village to Haverstraw Road, along said road to Limekiln Road, along said road to Fawn Lane, along said lane to Doe Drive, along said drive to Limekiln Road, along said road to State Highway 306, along said highway to the village limit of Pomona, along said village limit so as to exclude said village to Pomona Road, along said road to Summit Park Road, along said road to a point where Summit Park Road intersects Sandy Brook Drive, the point of beginning.

94. **Ninety-fourth district.** In the county of Orange, the towns of Chester, Deerpark, Goshen, Greenville, Hamptonburgh, Minisink, Mount Hope, Tuxedo, Warwick and Wawayanda and the cities of Middletown and Port Jervis; in the county of Rockland, that part of the town of Ramapo bounded by a line described as follows: Beginning at a point where Hemion Road intersects Nyack Turnpike, thence easterly along Nyack Turnpike to Cherry Lane, along said lane to Blossom Road, along said road to its second intersection with Dawn Lane, along said lane to Heather Drive, along said drive to Victoria Drive, along said drive to Lorna Lane, along said lane to Smith Hill Road, along said road to Eros Drive, along said drive to Kent Road, along said road to Dale Road, along said road to Eton Place, along said place to Shuart Road, along said road to the town line, north-

westerly along the town line to the Suffern village limit, along said village limit so as to include said village to the Hilburn village limit, along said village limit so as to include said village to the town line, along the town line to the Sloatsburg village limit, along said village limit so as to include said village to the town line, along the town line to the Pomona village limit, along said village limit so as to exclude said village to Haverstraw Road, along said road to the Suffern village limit, along said village limit to Hemion Road, along said road to a point where Hemion Road intersects Nyack Turnpike, the point of beginning.

95. Ninety-fifth district. In the county of Orange, the towns of Blooming Grove, Cornwall, Crawford, Montgomery, New Windsor and Wallkill; in the county of Sullivan, the towns of Forestburgh, Highland, Lumberland and Mamakating; in the county of Ulster, the towns of Shawangunk and Wawarsing.

96. Ninety-sixth district. In the county of Dutchess, the cities of Beacon and Poughkeepsie; in the county of Orange, the town of Newburgh and the city of Newburgh; in the county of Ulster, the towns of Esopus, Lloyd, and Marlborough.

97. Ninety-seventh district. In the county of Dutchess, the towns of Clinton, Fishkill, Hyde Park, Poughkeepsie, Rhinebeck, and Wappinger.

98. Ninety-eighth district. In the county of Chenango, the town of Bainbridge; in the county of Delaware, the towns of Andes, Bovina, Colchester, Davenport, Delhi, Deposit, Franklin, Hamden, Hancock, Harpersfield, Kortright, Masonville, Meredith, Middletown, Roxbury, Sidney, Stamford, Tompkins, and Walton; in the county of Otsego, the towns of Butternuts, Laurens, Morris, Otego, Pittsfield, and Unadilla; in the county of Sullivan, the towns of Bethel, Callicoon, Cochecton, Delaware, Fallsburg, Fremont, Liberty, Neversink, Rockland, Thompson, and Tusten.

99. Ninety-ninth district. In the county of Columbia, the towns of Ancram, Austerlitz, Canaan, Chatham, Copake, Gallatin, Hillsdale, New Lebanon, Taghkanic; in the county of Dutchess, the towns of East Fishkill, La Grange, Milan, North East, Pine Plains, Pleasant Valley, Red Hook, Stanford, and Washington; in the county of Rensselaer, the towns of Berlin, Grafton, Hoosick, Nassau, Petersburg, Sand Lake, Schodack, and Stephentown.

100. One hundredth district. In the county of Rensselaer, the towns of Brunswick, Pittstown, Poestenkill, Schaghticoke

and that part of the city of Troy bounded by a line described as follows: Beginning at a point where Pawling Avenue intersects Spring Avenue, thence northwesterly along Spring Avenue to Linden Avenue, along said avenue to Pawling Avenue, along said avenue to Congress Street, along said street to 15th Street, along said street to Tibbits Avenue, along said avenue to Burdett Avenue, along said avenue to West Peoples Drive, along said drive to Georgian Terrace, along said terrace to Georgian Court, along said court to Hoosick Street, along said street to 24th Street, along said street to Park Boulevard, along said boulevard to 22nd Street, along said street to Nyroy Drive, along said drive to 21st Street, along said street to Hoosick Street, along said street to Lavin Court, along said court to 18th Street, along said street to Park Boulevard, along said boulevard to Middleburgh Street, along said street to 8th Street, along said street to Ingails Avenue, along said avenue to 7th Avenue, along said street [1] to Middleburgh Street, along said street to Mount Street, along said street to 5th Avenue, along said avenue to Rensselaer Street, along said street to Rensselaer Street extended, along said street extended to the city limit, northerly along the city limit to Pawling Avenue, along said avenue to a point where Pawling Avenue intersects Spring Avenue, the point of beginning; and in the county of Warren, the towns of Bolton, Hague, Horicon, and Lake George; and in the county of Washington, the towns of Argyle, Cambridge, Dresden, Easton, Fort Ann, Fort Edward, Granville, Greenwich, Hampton, Hartford, Hebron, Jackson, Kingsbury, Putnam, Salem, White Creek and Whitehall.

[1] So in original. Probably should read "avenue".

101. One hundred first district. In the county of Ulster, the towns of Denning, Gardiner, Hardenbergh, Hurley, Kingston, Marbletown, New Paltz, Olive, Plattekill, Rochester, Rosendale, Saugerties, Shandaken, Ulster, Woodstock, and the city of Kingston.

102. One hundred second district. In the county of Albany, the towns of Bethlehem and Coeymans; in the county of Columbia, the towns of Claverack, Clermont, Germantown, Ghent, Greenport, Kinderhook, Livingston, Stockport, Stuyvesant, and the city of Hudson; and in the county of Greene, the towns of Ashland, Athens, Cairo, Catskill, Coxsackie, Durham, Greenville, Halcott, Hunter, Jewett, Lexington, New Baltimore, Prattsville, and Windham.

103. One hundred third district. In the county of Albany, the town of Colonie; and in the county of Saratoga, the towns of Clifton Park, Halfmoon, and Waterford.

104. One hundred fourth district. In the county of Albany, the towns of Guilderland and New Scotland and that part of the city of Albany described as follows: Beginning at a point where Madison Avenue intersects Franklin Street, thence westerly along Madison Avenue to South Pearl Street, along said street to South Mall Arterial, along South Mall Arterial to Eagle Street, along said street to Madison Avenue, along said avenue to Robin Street, along said street to Myrtle Avenue, along said avenue to South Lake Avenue, along said avenue to New Scotland Avenue, along said avenue to Academy Road, along said road to Hackett Boulevard, along said boulevard to Marwill Street, along said street to Ten Eyck Avenue, along said avenue to Delaware Avenue, along said avenue to the city limit, northwesterly, easterly and southerly along the city limit to 4th Avenue extended, along said avenue extended to 4th Avenue, along said avenue to Dongon Avenue, along said avenue to Arch Street, along said street to Church Street, along said street to Ferry Street, along said street to Dongon Avenue, along said avenue to Green Street, along said street to Bleecker Street, along said street to Franklin Street, along said street to a point where Franklin Street intersects Madison Avenue, the point of beginning.

105. One hundred fifth district. In the county of Albany, the towns of Berne, Knox, Rensselaerville and Westerlo; in the county of Montgomery, the towns of Canajoharie, Charleston, Florida, Glen, Minden, Root and St. Johnsville, and the city of Amsterdam; in the county of Schenectady, the towns of Duanesburg, Princetown, and Rotterdam; and in the county of Schoharie, the towns of Blenheim, Broome, Carlisle, Cobleskill, Conesville, Esperance, Fulton, Gilboa, Jefferson, Middleburgh, Richmondville, Schoharie, Seward, Sharon, Summit and Wright.

106. One hundred sixth district. In the county of Albany, the town of Green Island and the cities of Cohoes, and Watervliet, and that part of the city of Albany bounded by a line described as follows: Beginning at a point where Madison Avenue intersects South Pearl Street, thence easterly along Madison Avenue to Franklin Street, along said street to Bleeker Street, along said street to Green Street, along said street to Dongon Avenue, along said avenue to Ferry Street, along said street to Church Street, along said street to Arch Street, along said street to Dongon Avenue, along said avenue to 4th Avenue, along said

avenue to 4th Avenue extended, along said avenue extended to the city limit, southerly and westerly along the city limit to Delaware Avenue, along said avenue to Ten Eyck Avenue, along said avenue to Marwill Street, along said street to Hackett Boulevard, along said boulevard to Academy Road, along said road to New Scotland Avenue, along said avenue to South Lake Avenue, along said avenue to Myrtle Avenue, along said avenue to Robin Street, along said street to Madison Avenue, along said avenue to Eagle Street, along said street to South Mall Arterial, along South Mall Arterial to South Pearl Street, along said street to a point where Madison Avenue intersects South Pearl Street, the point of beginning; and in the county of Rensselaer, the towns of East Greenbush and North Greenbush and the city of Rensselaer, and that part of the city of Troy bounded by a line described as follows: Beginning at a point where 8th Street intersects Middleburgh Street, thence easterly along Middleburgh Street to Park Boulevard, along said boulevard to 18th Street, along said street to Lavin Court, along said court to Hoosick Street, along said street to 21st Street, along said street to Nyroy Drive, along said drive to 22nd Street, along said street to Park Boulevard, along said boulevard to 24th Street, along said street to Hoosick Street, along said street to Georgian Court, along said court to Georgian Terrace, along said terrace to West Peoples Drive, along said drive to Burdett Avenue, along said avenue to Tibbits Avenue, along said avenue to 15th Street, along said street to Congress Street, along said street to Pawling Avenue, along said avenue to Linden Avenue, along said avenue to Spring Avenue, along said avenue to Pawling Avenue, along said avenue to the city limit, southerly along the city limit to Rensselaer Street extended, along said street extended to Rensselaer Street, along said street to 5th Avenue, along said avenue to Mount Street, along said street to Middleburgh Street, along said street to 7th Avenue, along said avenue to Ingalls Avenue, along said avenue to 8th Street, along said street to a point where 8th Street intersects Middleburgh Street, the point of beginning.

107. One hundred seventh district. In the county of Schenectady, the towns of Glenville and Niskayuna, and the city of Schenectady.

108. One hundred eighth district. In the county of Saratoga, the towns of Ballston, Charlton, Malta, Moreau, Northumberland, Saratoga, Stillwater and Wilton, and the cities of Mechanicville and Saratoga Springs; and in the county of Warren,

the towns of Lake Luzerne and Queensbury, and the city of Glens Falls.

109. **One hundred nineth district.** In the county of Essex, the towns of Keene, Minerva, North Hudson, Schroon, and Ticonderoga; and in the county of Fulton, the towns of Bleecker, Broadalbin, Caroga, Ephratah, Johnstown, Mayfield, Northampton, Oppenheim, Perth and Stratford, and the cities of Gloversville and Johnstown; and in the county of Montgomery, the towns of Amsterdam, Mohawk, and Palatine; and in the county of Saratoga, the towns of Corinth, Day, Edinburg, Galway, Greenfield, Hadley, Milton, and Providence; and in the county of Warren, the towns of Chester, Johnsburg, Stony Creek, Thurman and Warrensburg.

110. **One hundred tenth district.** In the county of Clinton, the towns of Altona, Ausable, Beekmantown, Black Brook, Champlain, Chazy, Clinton, Dannemora, Ellenburg, Mooers, Peru, Plattsburgh, Saranac, Schuyler Falls and the city of Plattsburgh; and in the county of Franklin, the towns of Bangor, Bellmont, Bombay, Brighton, Burke, Chateaugay, Constable, Dickinson, Fort Covington, Franklin, Harrietstown, Malone, Moira, Westville, and the St. Regis Indian Reservation.

111. **One hundred eleventh district.** In the county of Madison, the towns of Brookfield, Cazenovia, De Ruyter, Eaton, Fenner, Georgetown, Hamilton, Lebanon, Lenox, Lincoln, Madison, Nelson, Smithfield, Stockbridge, and Sullivan and the city of Oneida; and in the county of Oneida, the towns of Augusta, Bridgewater, Kirkland, Marshall, Sangerfield and Westmoreland; and in the county of Otsego, the towns of Burlington, Edmeston, Hartwick, Milford, New Lisbon, Oneonta and Westford and the city of Oneonta.

112. **One hundred twelfth district.** In the county of St. Lawrence, the towns of Brasher, Canton, Clare, Clifton, Colton, DeKalb, DePeyster, Edwards, Fine, Fowler, Gouverneur, Hammond, Hermon, Hopkinton, Lawrence, Lisbon, Louisville, Macomb, Madrid, Massena, Morristown, Norfolk, Oswegatchie, Parishville, Piercefield, Pierrepont, Pitcairn, Potsdam, Rossie, Russell, Stockholm, Waddington, and the city of Ogdensburg.

113. **One hundred thirteenth district.** In the county of Essex, the towns of Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Lewis, Moriah, Newcomb, North Elba, St. Armand, Westport, Willsboro and Wilmington; and in the county of Franklin, the towns of Altamont, Brandon, Duane, Santa Clara and Waverly; and in the county of Hamilton, the towns of Ar-

ietta, Benson, Hope, Indian Lake, Inlet, Lake Pleasant, Long Lake, Morehouse, and Wells; and in the county of Herkimer, the towns of Columbia, Danube, Fairfield, German Flatts, Herkimer, Litchfield, Little Falls, Manheim, Newport, Norway, Ohio, Russia, Salisbury, Schuyler, Stark, Warren, Webb and Winfield, and the city of Little Falls; and in the county of Otsego, the towns of Cherry Valley, Decatur, Exeter, Maryland, Middlefield, Otsego, Plainfield, Richfield, Roseboom, Springfield and Worcester.

114. One hundred fourteenth district. In the county of Jefferson, the towns of Adams, Alexandria, Antwerp, Brownville, Cape Vincent, Champion, Clayton, Ellisburg, Henderson, Hounsfield, LeRay, Lorraine, Lyme, Orleans, Pamelia, Philadelphia, Rodman, Rutland, Theresa, Watertown, Wilna, Worth, and the city of Watertown; and in the county of Lewis, the towns of Croghan, Denmark, Diana, Greig, Harrisburg, Lewis, Leyden, Lowville, Lyonsdale, Martinsburg, Montague, New Bremen, Osceola, Pinckney, Turin, Watson, and West Turin.

115. One hundred fifteenth district. In the county of Oneida, the towns of Annsville, Ava, Boonville, Camden, Florence, Floyd, Forestport, Lee, Remsen, Steuben, Trenton, Vernon, Verona, Vienna, Western, Whitestown, and the cities of Rome and Sherrill.

116. One hundred sixteenth district. In the county of Herkimer, the town of Frankfort; and in the county of Oneida, the towns of Deerfield, Marcy, New Hartford, Paris, and the city of Utica.

117. One hundred seventeenth district. In the county of Oswego, the towns of Albion, Amboy, Boylston, Constantia, Granby, Hannibal, Hastings, Mexico, Minetto, New Haven, Orwell, Oswego, Palermo, Parish, Redfield, Richland, Sandy Creek, Schroeppel, Scriba, Volney, West Monroe, Williamstown, and the cities of Fulton and Oswego.

118. One hundred eighteenth district. In the county of Onondaga, the towns of Clay, Cicero, and Salina.

119. One hundred nineteenth district. In the county of Onondaga, the towns of Camillus, Onondaga, Otisco, the Onondaga Indian Reservation, and that part of the city of Syracuse bounded by a line described as follows: Beginning at a point where Lamson Street intersects Tyson Place, thence easterly along Tyson Place to the city limit, southerly, westerly, and northerly along the city limit to Grand Avenue, along said avenue to Ve-

lasko Road, along said road to Bellevue Avenue, along said avenue to Onondaga Avenue, along said avenue to South Avenue, along said avenue to West Colvin Street, along said street to Midland Avenue, along said avenue to West Matson Avenue, along said avenue to South Salina Street, along said street to East Calthrop Avenue, along said avenue to Interstate Highway 81, along said highway to Old East Colvin Street, along said street to Comstock Avenue, along said avenue to Euclid Avenue, along said avenue to Ostrom Avenue, along said avenue to East Adams Street, along said street to Comstock Avenue, along said avenue to East Genesee Street, along said street to Maple Street, along said street to East Fayette Street, along said street to Cherry Street, along said street to Lombard Street, along said street to Columbus Avenue, along said avenue to Erie Boulevard East, along said boulevard to South Midler Avenue, along said avenue to Burnet Avenue, along said avenue to Cloveridge Drive, along said drive to Caleb Avenue, along said avenue to Sunnycrest Road, along said road to Nichols Avenue, along said avenue to James Street, along said street to South Collingwood Avenue, along said avenue to Glencove Road, along said road to Hickok Avenue, along said avenue to Sunnycrest Road, along said road to Sunnycrest Park boundary, along said boundary to Clifton Place, along said place to Melrose Avenue, along said avenue to Teall Avenue, along said avenue to Shuart Avenue, along said avenue to Vine Street, along said street to Robinson Street, along said street to Sherwood Avenue, along said avenue to Hawley Avenue, along said avenue to Oak Street, along said street to Gertrude Street, along said street to Lodi Street, along said street to Wayne Street, along said street to Catherine Street, along said street to East Willow Street, along said street to Highland Street, along said street to Highland Avenue, along said avenue to Oak Street, along said street to Park Street, along said street to DeWitt Street, along said street to Grant Boulevard, along said boulevard to Woodlawn Terrace, along said terrace to Mertens Avenue, along said avenue to Wheaton Road, along said road to Feigel Avenue, along said avenue to Grant Boulevard, along said boulevard to James Street, along said street to North Avenue, along said avenue to Cowie Avenue, along said avenue to Hazelhurst Avenue, along said avenue to Beacon Road, along said road to Fobes Avenue, along said avenue to Coughlin Avenue, along said avenue to North Edwards Avenue, along said avenue to the city limit, along the city limit to Lamson Street, along said street to a point where Lamson Street intersects Tyson Place, the point of beginning.

120. **One hundred twentieth district.** In the county of Onondaga, the town of Geddes and that part of the city of Syracuse bounded by a line described as follows: Beginning at a point where North Edwards Avenue intersects Coughlin Avenue, thence westerly along Coughlin Avenue to Fobes Avenue, along said avenue to Beacon Road, along said road to Hazelhurst Avenue, along said avenue to Cowie Avenue, along said avenue to North Avenue, along said avenue to James Street, along said street to Grant Boulevard, along said boulevard to Feigel Avenue, along said avenue to Wheaton Road, along said road to Mertens Avenue, along said avenue to Woodlawn Terrace, along said terrace to Grant Boulevard, along said boulevard to DeWitt Street, along said street to Park Street, along said street to Oak Street, along said street to Highland Avenue, along said avenue to Highland Street, along said street to East Willow Street, along said street to Catherine Street, along said street to Wayne Street, along said street to Lodi Street, along said street to Gertrude Street, along said street to Oak Street, along said street to Hawley Avenue, along said avenue to Sherwood Avenue, along said avenue to Robinson Street, along said street to Vine Street, along said street to Shuart Avenue, along said avenue to Teall Avenue, along said avenue to Melrose Avenue, along said avenue to Clifton Place, along said place to Sunnycrest Park boundary, along said boundary to Sunnycrest Road, along said road to Hickok Avenue, along said avenue to Glencove Road, along said road to South Collingwood Avenue, along said avenue to James Street, along said street to Nichols Avenue, along said avenue to Sunnycrest Road, along said road to Caleb Avenue, along said avenue to Cloveridge Drive, along said drive to Burnet Avenue, along said avenue to South Midler Avenue, along said avenue to Erie Boulevard East, along said boulevard to Columbus Avenue, along said avenue to Lombard Street, along said street to Cherry Street, along said street to East Fayette Street, along said street to Maple Street, along said street to East Genesee Street, along said street to Comstock Avenue, along said avenue to East Adams Street, along said street to Ostrom Avenue, along said avenue to Euclid Avenue, along said avenue to Comstock Avenue, along said avenue to Old East Colvin Street, along said street to Interstate Highway 81, along said highway to East Calthrop Avenue, along said avenue to South Salina Street, along said street to West Matson Avenue, along said avenue to Midland Avenue, along said avenue to West Colvin Street, along said street to South Avenue, along said avenue to Onondaga Avenue, along said avenue to Bellevue Avenue, along said avenue to Velasko

Road, along said road to Grand Avenue, along said avenue to the city limit, generally westerly, northerly and southerly along the city limit to North Edwards Avenue, along said avenue to a point where North Edwards Avenue intersects Coughlin Avenue, the point of beginning.

121. **One hundred twenty-first district.** In the county of Onondaga, the towns of DeWitt, Elbridge, Fabius, Lafayette, Lysander, Manlius, Marcellus, Pompey, Skaneateles, Spafford, Tully, and Van Buren.

122. **One hundred twenty-second district.** In the county of Cayuga, the towns of Fleming, Genoa, Ledyard, Locke, Moravia, Niles, Owasco, Scipio, Sempronius, Springport, Summerhill, and Venice; and in the county of Chenango, the towns of Afton, Columbus, Coventry, German, Greene, Guilford, Lincklaen, McDonough, New Berlin, North Norwich, Norwich, Otselic, Oxford, Pharsalia, Pitcher, Plymouth, Preston, Sherburne, Smithville, and Smyrna, and the city of Norwich; and in the county of Cortland, the towns of Cincinnatus, Cortlandville, Cuyler, Freetown, Harford, Homer, Lapeer, Marathon, Preble, Scott, Solon, Taylor, Truxton, Virgil, and Willet, and the city of Cortland.

123. **One hundred twenty-third district.** In the county of Broome, the towns of Maine, Union, Vestal, Lisle, and Nanticoke; and in the county of Tioga, the town of Owego.

124. **One hundred twenty-fourth district.** In the county of Broome, the towns of Barker, Binghamton, Chenango, Colesville, Conklin, Dickinson, Fenton, Kirkwood, Sanford, Triangle, Windsor, and the city of Binghamton.

125. **One hundred twenty-fifth district.** In the county of Tioga, the towns of Barton, Berkshire, Candor, Newark Valley, Nichols, Richford, Spencer and Tioga; and in the county of Tompkins the towns of Caroline, Danby, Dryden, Enfield, Groton, Ithaca, Lansing, Newfield and Ulysses; and the city of Ithaca.

126. **One hundred twenty-sixth district.** In the county of Chemung, the towns of Ashland, Baldwin, Big Flats, Catlin, Chemung, Elmira, Erin, Horseheads, Southport, Van Etten, Veteran, and the city of Elmira; and in the county of Schuyler, the towns of Catharine, Cayuta, Dix, Hector, Montour, Orange, Reading, and Tyrone.

127. **One hundred twenty-seventh district.** In the county of Steuben, the towns of Addison, Avoca, Bath, Bradford, Cameron, Campbell, Canisteo, Caton, Cohocton, Corning, Dansville, Erwin, Fremont, Greenwood, Hartsville, Hornby, Hornellsville,

Howard, Jasper, Lindley, Prattsburg, Pulteney, Rathbone, Thurston, Troupsburg, Tuscarora, Urbana, Wayland, Wayne, West Union, Wheeler, Woodhull, and the cities of Corning and Hornell; and in the county of Yates, the towns of Barrington, Benton, Italy, Jerusalem, Middlesex, Milo, Potter, Starkey, and Torrey.

128. **One hundred twenty-eighth district.** In the county of Cayuga, the towns of Aurelius, Brutus, Cato, Conquest, Ira, Mentz, Montezuma, Sennett, Sterling, Throop, and Victory and the city of Auburn; in the county of Seneca, the towns of Covert, Fayette, Junius, Lodi, Ovid, Romulus, Seneca Falls, Tyre, Varick, and Waterloo; in the county of Wayne, the towns of Butler, Galen, Huron, Rose, Savannah, Sodus and Wolcott.

129. **One hundred twenty-ninth district.** In the county of Ontario, the towns of Bristol, Canandaigua, East Bloomfield, Farmington, Geneva, Gorham, Hopewell, Manchester, Phelps, Seneca, Victor, and the cities of Canandaigua and Geneva; in the county of Wayne, the towns of Arcadia, Lyons, Marion, Palmyra, and Walworth.

130. **One hundred thirtieth district.** In the county of Monroe, the towns of Penfield, Perinton, and Webster; in the county of Wayne, the towns of Macedon, Ontario and Williamson.

131. **One hundred thirty-first district.** In the county of Monroe the town of Chili, and that part of the city of Rochester bounded by a line described as follows: Beginning at a point where Clifford Avenue intersects Culver Road, thence southwesterly along Culver Road to Merchants Road, along said road to Conklin Avenue, along said avenue to Culver Road, along said road to Cedarwood Terrace, along said terrace to Berry Street, along said street to East Main Street, along said street to Indiana Street, along said street to Atlantic Avenue, along said avenue to Allandale Avenue, along said avenue to Humboldt Street, along said street to Carlson Road, along said road to Blossom Road, along said road to University Avenue, along said avenue to Culver Road, along said road to East Avenue, along said avenue to Barrington Street, along said street to Harvard Street, along said street to Dartmouth Street, along said street to Monroe Avenue, along said avenue to Rosedale Street, along said street to Pinnacle Road, along said road to Field Street, along said street to South Clinton Avenue, along said avenue to the city limit, along the city limit to the second intersection with the center of the Erie Barge Canal, along the center of said Canal to the center of the Genesee River, along the center of said river to

Ford Street, along said street to Mt. Hope Avenue, along said avenue to Averill Avenue, along said avenue to Whalin Street, along said street to Gregory Street, along said street to South Clinton Avenue, along said avenue to Averill Avenue, along said avenue to I–490, along I–490 to Innerloop I–490, westerly along Innerloop I–490 to West Main Street, along said street to Erion Crescent, along Erion Crescent to Prince Street, along said street to College Avenue, along said avenue to Goodman Street South, along said street to Anderson Avenue, along said avenue to Arlington Street, along said street to University Avenue, along said avenue to Atlantic Avenue, along said avenue to Beacon Street, along said street to Anderson Avenue, along said avenue to Delaware Street, along said street to Atlantic Avenue, along said avenue to Merriman Street, along said street to Anderson Avenue, along said avenue to Fairmount Street, along said street to Atlantic Avenue, along said avenue to Culver Road, along said road to East Main Street, along said street to Kingston Street, along said street to Garson Street, along said street to Denver Street, along said street to Parsells Avenue, along said avenue to Denver Street, along said street to Hazelwood Terrace, along said terrace to Berwyn Street, along said street to Rosewood Terrace, along said terrace to Shafer Street, along said street to Webster Avenue, along said avenue to Bock Street, along said street to Bay Street, along said street to Winterroth Street, along said street to Powers Street, along said street to Goodman Street North, along said street to Clifford Avenue, along said avenue to Manitou Street, along said street to Fernwood Avenue, along said avenue to Renwood Street, along said street to Clifford Avenue, along said avenue to Spiegel Park, along said Spiegel Park to Fernwood Avenue, along said avenue to Portland Avenue, along said avenue to Roycroft Drive, along said drive to Carter Street, along said street to Avenue D, along said avenue to Bauman Street, along said street to Laser Street, along said street to Hoff Street, along said street to Avenue D, along said avenue to Harris Street, along said street to Avenue B, along said avenue to St. Paul Street, along said street to Clifford Avenue extended, along said avenue extended to the center of the Genesee River, along said river to Bausch Street, along said street to Smith Street, along said street to Orchard Street, along said street to Jay Street, along said street to Child Street, along said street to I–190, westerly along I–490 to the city limit, along the city limit to its second intersection with Lee Road, along said road to Lexington Avenue, along said avenue to Dewey Avenue, along said avenue to Locust

Street, along said street to Fulton Avenue, along said avenue to Ravine Avenue, along said avenue to Levenworth Street, along said street to Glendale Park, along Glendale Park to Fulton Avenue, along said avenue to Glenwood Avenue, along said avenue to Lake Avenue, along said avenue to Lexington Avenue, along said avenue to Thorn Street, along said street to Driving Park Avenue, along said avenue to Avenue E, along said avenue to St. Paul Street, along said street to Norton Street, along said street to Carter Street, along said street to County Route 104, along County Route 104 to St. Paul Street, along said street to the city limit, along the city limit to Crossfield Road, along said road to Norton Street, along said street to the city limit, along the city limit to Costich Road, along said road to Culver Road, along said road to Seymour Road, along said road to the city limit, along the city limit to Clifford Avenue, along said avenue to a point where Clifford Avenue intersects Culver Road, the point of beginning.

132. **One hundred thirty-second district.** In the county of Monroe, the towns of Brighton and Irondequoit, and that part of the city of Rochester bounded by a line described as follows: Beginning at a point where Culver Road intersects Norton Street, thence westerly along Norton Street to Crossfield Road, along said road to the city limit, along the city limit to Norton Street, along said street to a point where Culver Road intersects Norton Street, the point of beginning, and that part of the city of Rochester bounded by a line described as follows: Beginning at a point where Seymour Road intersects Culver Road, thence northerly along Culver Road to Costich Road, along said road to the city limit, along the city limit to Seymour Road, along said road to a point where Seymour Road intersects Culver Road, the point of beginning, and that part of the city of Rochester bounded by a line described as follows: Beginning at a point where South Clinton Avenue intersects Field Street, thence northerly along Field Street to Pinnacle Road, along said road to Rosedale Street, along said street to Monroe Avenue, along said avenue to Dartmouth Street, along said street to Harvard Street, along said street to Barrington Street, along said street to East Avenue, along said avenue to Culver Road, along said road to University Avenue, along said avenue to Blossom Road, along said road to Carlson Road, along said road to Humboldt Street, along said street to Allandale Avenue, along said avenue to Atlantic Avenue, along said avenue to Indiana Street, along said street to East Main Street, along said street to Berry Street, along said street to Cedarwood Terrace, along said terrace to Culver Road,

along said road to Conklin Avenue, along said avenue to Merchants Road, along said road to Culver Road, along said road to Clifford Avenue, along said avenue to the city limit, along said city limit to South Clinton Avenue, along said avenue to a point where South Clinton Avenue intersects Field Street, the point of beginning.

133. **One hundred thirty-third district.** In the county of Monroe, the town of Gates, and that part of the city of Rochester bounded by a line described as follows: Beginning at a point where Roycroft Drive intersects Portland Avenue, thence southwesterly along Portland Avenue to Fernwood Avenue, along said avenue to Spiegel Park, along Spiegel Park to Clifford Avenue, along said avenue to Renwood Street, along said street to Fernwood Avenue, along said avenue to Manitou Street, along said street to Clifford Avenue, along said avenue to Goodman Street North, along said street to Powers Street, along said street to Winterroth Street, along said street to Bay Street, along said street to Bock Street, along said street to Webster Avenue, along said avenue to Shafer Street, along said street to Rosewood Terrace, along said terrace to Berwyn Street, along said street to Hazelwood Terrace, along said terrace to Denver Street, along said street to Parsells Avenue, along said avenue to Denver Street, along said street to Garson Street, along said street to Kingston Street, along said street to East Main Street, along said street to Culver Road, along said road to Atlantic Avenue, along said avenue to Fairmount Street, along said street to Anderson Avenue, along said avenue to Merriman Street, along said street to Atlantic Avenue, along said avenue to Delaware Street, along said street to Anderson Avenue, along said avenue to Beacon Street, along said street to Atlantic Avenue, along said avenue to University Avenue, along said avenue to Arlington Street, along said street to Anderson Avenue, along said avenue to Goodman Street South, along said street to College Avenue, along said avenue to Prince Street, along said street to Erion Crescent, along Erion Crescent to West Main Street, along said street to Innerloop I–490, northwesterly along Innerloop I-490 to Averill Avenue, along said avenue to South Clinton Avenue, along said avenue to Gregory Street, along said street to Whalin Street, along said street to Averill Avenue, along said avenue to Mt. Hope Avenue, along said avenue to Ford Street, along said street to the center of the Genesee River, along the center of said river to the center of the Erie Barge Canal, along the center of said canal to the city limit, along the city limit to I–490, along I–490 to Child Street, along said street to Jay

Street, along said street to Orchard Street, along said street to Smith Street, along said street to Bausch Street, along said street to the center of the Genesee River, along the center of said river to Clifford Avenue extended, along said avenue extended to St. Paul Street, along said street to Avenue B, along said avenue to Harris Street, along said street to Avenue D, along said avenue to Hoff Street, along said street to Laser Street, along said street to Bauman Street, along said street to Avenue D, along said avenue to Carter Street, along said street to Roycroft Drive, along said drive to a point where Roycroft Drive intersects Portland Avenue, the point of beginning, and furthermore, that area known as the Monroe County Airport, which is circumscribed by city limits noncontiguous to those aforementioned.

134. **One hundred thirty-fourth district.** In the county of Monroe, the town of Greece, and that part of the city of Rochester bounded by a line described as follows: Beginning at a point where St. Paul Street intersects County Route 104, thence easterly along County Route 104 to Carter Street, along said street to Norton Street, along said street to St. Paul Street, along said street to Avenue E, along said avenue to Driving Park Avenue, along said avenue to Thorn Street, along said street to Lexington Avenue, along said avenue to Lake Avenue, along said avenue to Glenwood Avenue, along said avenue to Fulton Avenue, along said avenue to Glendale Park, along Glendale Park to Leavenworth Street, along said street to Ravine Avenue, along said avenue to Fulton Avenue, along said avenue to Locust Place, along said place to Dewey Avenue, along said avenue to Lexington Avenue, along said avenue to Lee Road, along said road to the city limit, along the city limit to St. Paul Street, along said street to a point where St. Paul Street intersects County Route 104, the point of beginning.

135. **One hundred thirty-fifth district.** In the county of Monroe, the towns of East Rochester, Hamlin, Henrietta, Mendon, Ogden, Parma, Pittsford, Riga, Rush, and Wheatland.

136. **One hundred thirty-sixth district.** In the county of Allegany, the towns of Alfred, Allen, Alma, Almond, Amity, Andover, Angelica, Belfast, Birdsall, Bolivar, Burns, Caneadea, Centerville, Clarksville, Cuba, Friendship, Genesee, Granger, Grove, Hume, Independence, New Hudson, Rushford, Scio, Ward, Wellsville, West Almond, Willing, Wirt, and that portion of the Oil Springs Indian Reservation situated herein; and in the county of Livingston, the towns of Avon, Caledonia, Cone-

sus, Geneseo, Groveland, Leicester, Lima, Livonia, Mount Morris, North Dansville, Nunda, Ossian, Portage, Sparta, Springwater, West Sparta, and York; and in the county of Ontario, the towns of Canadice, Naples, Richmond, South Bristol, and West Bloomfield.

137. **One hundred thirty-seventh district.** In the county of Genesee, the towns of Alabama, Alexander, Batavia, Bergen, Bethany, Byron, Darien, Elba, LeRoy, Oakfield, Pavilion, Pembroke, Stafford, and the city of Batavia, and that portion of the Tonawanda Indian Reservation situated herein; and in the county of Monroe, the towns of Clarkson and Sweden; and in the county of Orleans, the towns of Albion, Barre, Carlton, Clarendon, Gaines, Kendall, Murray, Ridgeway, Shelby, and Yates.

138. **One hundred thirty-eighth district.** In the county of Niagara, the towns of Cambria, Lewiston, Niagara, Porter, Wilson, the Tuscarora Indian Reservation, and that part of the city of Niagara Falls bounded by a line described as follows: Beginning at a point where Pine Avenue intersects 98th Street, thence southerly along 98th Street to 98th Street extended, along said street extended to the center of Bergholtz Creek, along the center of said creek to the city limit, southerly along the city limit to 98th Street, along said street to a point where Pine Avenue intersects 98th Street, the point of beginning.

139. **One hundred thirty-ninth district.** In the county of Niagara, the towns of Hartland, Lockport, Newfane, Pendleton, Royalton, Somerset, Wheatfield, that portion of the Tonawanda Indian Reservation situated herein, the cities of Lockport and North Tonawanda, and that part of the city of Niagara Falls bounded by a line described as follows: Beginning at a point where Cuyuga Drive intersects 98th Street, thence northerly along 98th Street to the city limit, along the city limit to the center of Bergholtz Creek, along the center of said creek to 98th Street extended, along said street extended to 98th Street, along said street to a point where Cuyuga Drive intersects 98th Street, the point of beginning.

140. **One hundred fortieth district.** In the county of Erie, the town of Tonawanda, the city of Tonawanda, and that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where Colvin Boulevard intersects Taunton Place, thence westerly along Taunton Place to Virgil Avenue, along said avenue to Tacoma Avenue, along said avenue to Tennyson Avenue, along said avenue to Hertel Avenue, along said avenue to Delaware Avenue, along said avenue to the Penn Cen-

tral Railroad Right of Way, along said right of way to Military Road, along said road to Hertel Avenue, along said avenue to Sunnyside Place, along said place to Holmes Street, along said street to Page Street, along said street to Lawn Avenue, along said avenue to Norris Street, along said street to Race Street, along said street to Clayton Street, along said street to Ruhl Avenue, along said avenue to Military Road, along said road to Blum Avenue, along said avenue to Clayton Street, along said street to Hinman Avenue, along said avenue to Grove Street, along said street to the city limit, easterly along the city limit to Colvin Boulevard, along said boulevard to a point where Colvin Boulevard intersects Taunton Place, the point of beginning.

141. **One hundred forty-first district.** In the county of Erie, that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where Wright Avenue intersects East Delavan Avenue, thence westerly along East Delavan Avenue to Roslyn Street, along said street to Gerald Avenue, along said avenue to Bailey Avenue, along said avenue to Doat Street, along said street to Rapin Street, along said street to Genesee Street, along said street to Koons Avenue, along said avenue to Broadway, along Broadway to Wilson Street, along said street to William Street, along said street to Shumway Street, along said street to Howard Street, along said street to Emslie Street, along said street to Oneida Street, along said street to Bond Street, along said street to San Domingo Street, along said street to Emslie Street, along said street to Seneca Street, along said street to Hamburg Street, along said street to South Park Avenue, along said avenue to Chicago Street, along said street to Niagara Thruway, along said thruway to Pearl Street, along said street to West Eagle Street, along said street to Niagara Street, along said street to Niagara Square, westerly and northerly along Niagara Square to Jerge Drive, along said drive to Elmwood Avenue, along said avenue to Court Street, along said street to 7th Street, along said street to Carolina Street, along said street to Niagara Street, along said street to Georgia Street, along said street to West Chippewa Street, along said street to Franklin Street, along said street to West Huron Street, along said street to Main Street, along said street to East Chippewa Street, along said street to Washington Street, along said street to East Tupper Street, along said street to Main Street, along said street to Florence Avenue, along said avenue to Parkside Avenue, along said avenue to Crescent Avenue, along said avenue to Amherst Street, along said street to Holden Avenue, along said avenue to Bennett Village Terrace, along said terrace

to Manhattan Avenue, along said avenue to Amherst Street, along said street to Comstock Avenue, along said avenue to Thornton Avenue, along said avenue to Bailey Avenue, along said avenue to Westminster Avenue, along said avenue to Suffolk Street, along said street to Tarkio Place, along said place to Tarkio Place extended, along said place extended to Eggert Road, along said road to the city limit, easterly and southerly along the city limit to East Delavan Avenue, along said avenue to a point where Wright Avenue intersects East Delavan Avenue, the point of beginning.

142. One hundred forty-second district. In the county of Erie, the town of Amherst and that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where Treehaven Road intersects Eggert Road, thence southerly along Eggert Road to Tarkio Place extended, along said place extended to Tarkio Place, along said place to Suffolk Street, along said street to Westminster Avenue, along said avenue to Bailey Avenue, along said avenue to Thorton Avenue, along said avenue to Comstock Avenue, along said avenue to Amherst Street, along said street to Parkridge Avenue, along said avenue to Shirley Avenue, along said avenue to Comstock Avenue, along said avenue to Winspear Avenue, along said avenue to Bailey Avenue, along said avenue to the city limit, along the city limit to Eggert Road, along said road to a point where Treehaven Road intersects Eggert Road, the point of beginning.

143. One hundred forty-third district. In the county of Erie, the town of Cheektowaga and that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where Gerald Avenue intersects Roslyn Street, thence southerly along Roslyn Street to East Delavan Avenue, along said avenue to the city limit, along the city limit to Heminway Street, along said street to Sprenger Avenue, along said avenue to Doat Street, along said street to Sattler Avenue, along said avenue to Block Street, along said street to Forman Street, along said street to Peace Street, along said street to Doat Street, along said street to the Erie Lackawanna Railroad Right of Way, along said right of way to Moeller Street, along said street to Warring Avenue, along said avenue to Antwerp Street, along said street to Bailey Avenue, along said avenue to Gerald Avenue, along said avenue to a point where Gerald Avenue intersects Roslyn Street, the point of beginning.

144. One hundred forty-fourth district. In the county of Erie, the town of Grand Island and that part of the city of Buf-

falo bounded by a line described as follows: Beginning at a point where Ramsdell Avenue intersects Grove Street, thence southerly along Grove Street to Hinman Avenue, along said avenue to Clayton Street, along said street to Blum Avenue, along said avenue to Military Road, along said road to Ruhl Avenue, along said avenue to Clayton Street, along said street to Race Street, along said street to Norris Street, along said street to Lawn Avenue, along said avenue to Page Street, along said street to Holmes Street, along said street to Sunnyside Place, along said place to Hertel Avenue, along said avenue to Military Road, along said road to the Penn Central Railroad Right of Way, along said right of way to Delaware Avenue, along said avenue to Hertel Avenue, along said avenue to Tennyson Avenue, along said avenue to Tacoma Avenue, along said avenue to Virgil Avenue, along said avenue to Taunton Place, along said place to Colvin Boulevard, along said boulevard to the city limit, easterly along the city limit to Bailey Avenue, along said avenue to Winspear Avenue, along said avenue to Comstock Avenue, along said avenue to Shirley Avenue, along said avenue to Parkridge Avenue, along said avenue to Amherst Street, along said street to Manhattan Avenue, along said avenue to Bennett Village Terrace, along said terrace to Holden Avenue, along said avenue to Amherst Street, along said street to Crescent Avenue, along said avenue to Parkside Avenue, along said avenue to Florence Avenue, along said avenue to Main Street, along said street to East Tupper Street, along said street to Washington Street, along said street to East Chippewa Street, along said street to Main Street, along said street to West Huron Street, along said street to Franklin Street, along said street to West Chippewa Street, along said street to Whitney Place, along said place to Hudson Street, along said street to West Avenue, along said avenue to York Street, along said street to Plymouth Avenue, along said avenue to Jersey Street, along said street to Richmond Avenue, along said avenue to North Summer Street, along said street to York Street, along said street to 16th Street, along said street to Richmond Avenue, along said avenue to Colonial Circle, along the lesser distance of said circle to Lafayette Avenue, along said avenue to Baynes Street, along said street to West Delavan Avenue, along said avenue to West Delavan Avenue extended, along said avenue extended to Niagara Thruway, along said thruway to Brace Street extended, along said street extended to the city limit, northerly and easterly along the city limit to Grove Street, along said street to a point where Ramsdel Avenue intersects Grove Street, the point of beginning.

145. **One hundred forty-fifth district.** In the county of Erie, the town of Orchard Park and that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where King Street intersects Benzinger Street, thence southerly along Benzinger Street to Reiman Street, along said street to Gold Street, along said street to Vanderbilt Street, along said street to Davey Street, along said street to East Lovejoy Street, along said street to Benzinger Street, along said street to Ludington Street, along said street to Gold Street, along said street to William Street, along said street to Bailey Avenue, along said avenue to Dingens Street, along said street to Weiss Street, along said street to Griswold Street, along said street to Weimar Street, along said street to Barnard Street, along said street to Griswold Street, along said street to Cable Street, along said street to Casimer Street, along said street to Fenton Street, along said street to Seward Street, along said street to South Ogden Street, along said street to the center of the Buffalo River, along the center of said river to the Penn Central Railroad Right of Way, along said right of way to Mineral Spring Road, along said road to the city limit, along the city limit to the Baltimore and Ohio Railroad Right of Way, along said right of way to Hopkins Street, along said street to Tifft Street, along said street to the Penn Central Railroad Right of Way, along said right of way to the center of the Buffalo River, along the center of said river to Buffalo Skyway, along Buffalo Skyway to Marine Drive, along said drive to Erie Boulevard, along said boulevard to Niagara Thruway, along said thruway to Jersey Street extended, along said street extended to Jersey Street, along said street to Prospect Avenue, along said avenue to Connecticut Street, along said street to Fargo Avenue, along said avenue to Porter Avenue, along said avenue to West Avenue, along said avenue to Hudson Street, along said street to Whitney Place, along said place to Georgia Street, along said street to Niagara Street, along said street to Carolina Street, along said street to 7th Street, along said street to Court Street, along said street to Elmwood Avenue, along said avenue to Jerge Drive, along said drive to Niagara Square, southerly and easterly along Niagara Square to Niagara Street, along said street to West Eagle Street, along said street to Pearl Street, along said street to Niagara Thruway, along said thruway to Chicago Street extended, along said street extended to Chicago Street, along said street to South Park Avenue, along said avenue to Hamburg Street, along said street to Seneca Street, along said street to Emslie Street, along said street to San Domingo Street, along said street to

Bond Street, along said street to Oneida Street, along said street to Emslie Street, along said street to Howard Street, along said street to Shumway Street, along said street to William Street, along said street to Wilson Street, along said street to Broadway, along Broadway to King Street extended, along said street extended to King Street, along said street to a point where King Street intersects Benzinger Street, the point of beginning, and that part of the city of Lackawanna bounded by a line described as follows: Beginning at a point where Lincoln Avenue intersects Hamburg Turnpike, thence northerly along Hamburg Turnpike to Holbrook Street, along said street to Steelawanna Avenue, along said avenue to Ridge Road, along said road to the South Buffalo Railroad Right of Way, along said right of way to Piggins Alley extended, along said alley extended to Piggins Alley, along said alley to Trella Street, along said street to Milnor Avenue, along said avenue to South Park Avenue, along said avenue to the Lehigh Valley Railroad Right of Way, along said right of way to the center of the South Branch of Smokes Creek, along the center of said creek to South Park Avenue, along said avenue to the city limit, northerly and easterly along the city limit to Hamburg Turnpike, along said turnpike to a point where Lincoln Avenue intersects Hamburg Turnpike, the point of beginning.

146. **One hundred forty-sixth district.** In the county of Erie, the towns of Brant, Eden, Evans, Hamburg, North Collins, and that portion of the Cattaraugus Indian Reservation situated herein, and that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where West Delavan Avenue intersects Baynes Street, thence southerly along Baynes Street to Lafayette Avenue, along said avenue to Colonial Circle, along the lesser distance of said circle to Richmond Avenue, along said avenue to 16th Street, along said street to York Street, along said street to North Summer Street, along said street to Richmond Avenue, along said avenue to Jersey Street, along said street to Plymouth Avenue, along said avenue to York Street, along said street to Porter Avenue, along said avenue to Fargo Avenue, along said avenue to Connecticut Street, along said street to Prospect Avenue, along said avenue to Jersey Street, along said street to Jersey Street extended, along said street extended to Niagara Thruway, along said thruway to Erie Boulevard, along said boulevard to Marine Drive, along said drive to Buffalo Skyway, along said skyway to the center of the Buffalo River, along the center of said river to the Penn Central Railroad Right of Way, along said right of way to Tifft Street,

along said street to Hopkins Street, along said street to the Baltimore and Ohio Railroad Right of Way, along said right of way to the city limit, westerly and northerly along the city limit to Brace Street extended, along said street extended to Niagara Thruway, along said thruway to West Delavan Avenue extended, along said avenue extended to West Delavan Avenue, along said avenue to a point where West Delavan Avenue intersects Baynes Street, the point of beginning, and that part of the city of Lackawanna bounded by a line described as follows: Beginning at a point where Ridge Road intersects South Park Avenue, thence southerly along South Park Avenue to the center of the South Branch of Smokes Creek, along the center of said creek to the Lehigh Valley Railroad Right of Way, along said right of way to South Park Avenue, along said avenue to Milnor Avenue, along said avenue to Trella Street, along said street to Piggins Alley, along said alley to Piggins Alley extended, along said alley extended to the South Buffalo Railroad Right of Way, along said right of way to Ridge Road, along said road to Steelawanna Avenue, along said avenue to Holbrook Street, along said street to Hamburg Turnpike, southerly along said turnpike to the city limit, westerly along the city limit to South Park Avenue, along said avenue to a point where Ridge Road intersects South Park Avenue, the point of beginning.

147. One hundred forty-seventh district. In the county of Erie, the towns of Alden, Aurora, Boston, Clarence, Colden, Collins, Concord, Holland, Newstead, Sardinia, and that portion of the Tonawanda Indian Reservation situated herein; and in the county of Wyoming, the towns of Arcade, Attica, Bennington, Castile, Covington, Eagle, Gainesville, Genesee Falls, Java, Middlebury, Orangeville, Perry, Pike, Sheldon, Warsaw and Wethersfield.

148. One hundred forty-eighth district. In the county of Erie, the towns of Elma, Lancaster, Marilla, Wales, West Seneca, and that part of the city of Buffalo bounded by a line described as follows: Beginning at a point where Calais Avenue intersects Mineral Spring Road, thence southwesterly along Mineral Spring Road to the Penn Central Railroad Right of Way, along said right of way to the center of the Buffalo River, along the center of said river to South Ogden Street, along said street to Seward Street, along said street to Fenton Street, along said street to Casimer Street, along said street to Cable Street, along said street to Griswold Street, along said street to Barnard Street, along said street to Weimar Street, along said street to Griswold Street, along said street to Weiss Street, along said

street to Dingens Street, along said street to Bailey Avenue, along said avenue to William Street, along said street to Gold Street, along said street to Ludington Street, along said street to Benzinger Street, along said street to East Lovejoy Street, along said street to Davey Street, along said street to Vanderbilt Street, along said street to Gold Street, along said street to Reiman Street, along said street to Benzinger Street, along said street to King Street extended, along said street extended to Broadway, along Broadway to Koons Avenue, along said avenue to Genesee Street, along said street to Rapin Street, along said street to Doat Street, along said street to Bailey Avenue along said avenue to Antwerp Street, along said street to Warring Avenue, along said avenue to Moeller Street, along said street to the Erie Lackawanna Railroad Right of Way, along said right of way to Doat Street, along said street to Peace Street, along said street to Forman Street, along said street to Block Street, along said street to Sattler Avenue, along said avenue to Doat Street, along said street to Sprenger Avenue, along said avenue to Heminway Street, along said street to the city limit, along the city limit to Mineral Spring Road, along said road to a point where Calais Avenue intersects Mineral Spring Road, the point of beginning.

149. **One hundred forty-ninth district.** In the county of Cattaraugus, the towns of Allegany, Ashford, Carrollton, Cold Spring, Conewango, Dayton, East Otto, Ellicottville, Farmersville, Franklinville, Freedom, Great Valley, Hinsdale, Humphrey, Ischua, Leon, Little Valley, Lyndon, Machias, Mansfield, Napoli, New Albion, Olean, Otto, Perrysburg, Persia, Portville, Randolph, Red House, Salamanca, South Valley, Yorkshire, and the cities of Olean and Salamanca, and the Allegany Indian Reservation, and that portion of the Cattaraugus Indian Reservation and that portion of the Oil Springs Indian Reservation situated herein; and in the county of Chautauqua, the towns of Arkwright, Carroll, Cherry Creek, Ellicott, Ellington, Gerry, Hanover, Poland, Villenova, and that portion of the Cattaraugus Indian Reservation situated herein.

150. **One hundred fiftieth district.** In the county of Chautauqua, the towns of Busti, Charlotte, Chautauqua, Clymer, Dunkirk, Ellery, French Creek, Harmony, Kiantone, Mina, North Harmony, Pomfret, Portland, Ripley, Sheridan, Sherman, Stockton, Westfield, and the cities of Dunkirk and Jamestown.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN FLATEAU, et al.,

Plaintiffs,

—against—

82 Civ. 876 (VLB)
ORDER

WARREN M. ANDERSON, et al.,

Defendants.

LAWRENCE W. PIERCE, Circuit Judge
ROBERT J. WARD, District Judge
VINCENT L. BRODERICK, District Judge

1. By Order dated April 19, 1982, the Court denied the motions of defendants Anderson, Rolison, and the New York State Senate and intervenor Emery for a partial stay of the Court's March 26, 1982 Order which had directed that New York State devise and enact constitutional reapportionment plans for the State Senate, State Assembly, and United States congressional districts by April 16, 1982.

2. To date the parties have failed, in violation of the Court's March 26, 1982 Order, to enact reapportionment plans for these districts. Confronted with this failure, and mindful of its own obligation to protect the constitutional rights of the public, the Court, pursuant to Rule 53(a), Fed.R.Civ.P., appoints Robert P. Patterson, Jr. as Special Master to develop constitutional reapportionment plans for the New York State Senate, State Assembly, and United States Congressional districts, and to report with respect thereto to the Court.

3. In performing his duties under this Order, the Special Master shall enjoy all the powers delineated in Rule 53, Fed.R.Civ.P., and shall be guided by the following:

a. The plans he develops shall be in compliance with the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973 *et seq.* and all federal constitutional requirements. These plans shall in addition be in compliance with New York State constitutional requirements, unless such com-

pliance is incompatible with federal constitutional or statutory requirements.

b. To the extent consistent with Paragraph 3a, the Special Master shall take cognizance of the following principles, drawn from federal case law, and New York statutory and constitutional law, in devising the reapportionment plans:

i) *Contiguity:* each district must consist of contiguous territory so that it is not necessary to go out of the district in order to travel from one part of the district to another.

ii) *Population Equality and Allowable Deviations therefrom:* absent any justification derived from other principles such as contiguity or compactness, each district shall be equal in population. Any justification being present, the deviation from the population mean shall be no greater than 5% for the State Senate and the State Assembly districts and 1% for the United States Congressional districts.

iii) *Minimization of the Division of the Counties, Towns and Cities:* districts shall be established with reference to permanent, pre-existing lines of political subdivisions as much as possible. If any county, town or city must be divided, more populous ones are to be divided before less populous ones, to the extent not inconsistent with Art. 3 §4 of the New York Constitution.

iv) *Separation of as Small a Population as Possible from the Main Body of a Political Subdivision:* if a county, town or city must be divided, as much of the population of a divided county, town or city as possible must be kept in districts wholly within that county, town or city.

v) *Compactness:* to the extent that it is consistent with the foregoing, the *total* length of the boundaries of all districts in New York State as a whole shall be as short as possible.

c. The Special Master shall be empowered to receive the following:

i) any proposed criteria not already enumerated in b), *supra,* to be utilized in drawing the district lines;

ii) any proposed reapportionment plans from any interested persons; and

iii) any comments in support or in opposition to the various plans which are submitted.

d. The Special Master shall have access to the data base and computer capability of the Legislative Advisory Task Force on Reapportionment. It, and all parties hereto, are directed to render every possible assistance to the Special Master in the performance of his duties.

e. The Special Master is empowered to hold hearings, and to regulate all proceedings in every hearing and to do all acts and take all measures necessary or proper for the efficient performance of his duties under this Order. He may also require the production of documents, maps, papers, and writings applicable and pertinent to the devisement of reapportionment plans. If any hearing or hearings shall be necessary, the Special Master shall proceed without delay to hold them.

f. The Special Master may appoint a staff and consult with professional experts to assist him. Such appointments shall be made in consultation with the Court.

g. The Special Master may apply to the Court for sanctions for noncompliance with his orders. If the parties fail to appear at a scheduled hearing, the Special Master may proceed ex parte or adjourn the proceedings to a future day, giving notice to the absent party of the adjournment.

h. The Special Master shall report to the Court on a weekly basis, either orally or in writing, apprising the Court of his progress.

4. The Special Master shall present to the Court at least one plan for each of the three legislative bodies (i.e., the State Senate, State Assembly, and United States Congress) on or

before Tuesday, June 1, 1982.[1] A written report shall accompany the plans. The parties to this action, and the amici curiae, shall have until Monday, June 7, 1982 to file whatever objections they may have to the plans presented. No objections shall be entertained after that date.

5. The Special Master shall be present at the next hearing of the Court, scheduled for Monday, May 10, 1982 at 4:00 p.m. in Room 110 of the United States Courthouse.

6. The Special Master shall keep accurate time records which reflect the time spent on his duties as Master. Upon the completion of his duties, he shall submit an application for reasonable fees and expenses which, upon approval by the Court, shall be taxed against the State of New York.

The Court reasserts that reapportionment is primarily a legislative function. It has only ordered the appointment of a Special Master because the responsible state elected officials have failed to act. Thus nothing in this Order shall be deemed to relieve the pertinent parties of their legislative and executive duties to devise and enact constitutionally valid reapportionment plans for the State Senate, State Assembly, and United States Congressional districts in New York State.

SO ORDERED.

Dated: New York, New York
April 23, 1982

s/
Lawrence W. Pierce, Circuit Judge

s/
Robert J. Ward, District Judge

s/
Vincent L. Broderick, District Judge

[1] This constitutes a modification of the requirements set forth in the order of April 19, 1982.

At a Special Term Part I of the Supreme Court held in and for the County of Kings at the Courthouse, Civic Center, Brooklyn, New York on the 15 day of December, 1982.

PRESENT: HON. GERALD ADLER, Justice Presiding

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

BAY RIDGE COMMUNITY COUNCIL, INC., et al.,

Plaintiffs-Appellants,

v.

HUGH L. CAREY, et al.,

Defendant-Appellees.

RESETT
ORDER

In the Matter of the Petition of BERNARD J. LeBLANC,

Petitioner-Appellant,

In the Matter of the Petition of ROBERT P. WHELAN,

Petitioner-Appellant,

CLARENCE P. RAPPLEYEA

Intervenor-Appellant.

Petitioner Bernard J. LeBlanc, having moved to renew his prior motion to review the legislation apportioning and districting the Assembly and Senate of the State of New York to reflect the substitution of Chapter 455 Laws of 1982 for Chapter 111 Laws of 1982, and Petitioner Whelan and plaintiffs Bay Ridge Community Council, Inc., et al.,

having cross-moved for similar relief and defendants and respondents Carey, Cuomo, Abrams and New York State Board of elections having cross-moved to resettle the prior Order of this Court, Hon. Gerald Adler, dated June 21, 1982, and said motions having come on to be heard,

Now, upon reading and filing the Notice of Motion of petitioner LeBlanc, dated October 8, 1982 and the supporting affidavit of Kenneth Gibbons, Esq., dated October 8, 1982; the Notice of Cross-Motion of Petitioner Whelan, dated October 13, 1982 and the supporting affidavit of Robert P. Whelan, dated October 13, 1982; the Notice of Cross-Motion of plaintiffs Bay Ridge Community Council, Inc., et al., dated October 15, 1982 and the supporting affirmation of Andrew L. Sichenze, Esq., dated October 15, 1982; the Notice of Motion of defendants and respondents Carey, Cuomo, Abrams and the New York State Board of Elections and the affidavit of Richard G. Liskov, dated October 21, 1982; and upon all prior papers and pleadings considered by this Court on the original motions disposed of in the aforementioned June 21, 1982 Order, to wit, the Order to Show Cause, Hon. Arthur G. Hirsch, dated May 27, 1982, the joint affidavit of Marie Diresta and Walter A. Kassenbrock, dated May 26, 1982 and the Summons and Complaint, all on behalf of plaintiffs Bay Ridge Community Council, Inc., et al.; the Notice of Motion, the affidavit of Melvin H. Miller, dated June 17, 1982 and Answer, all on behalf of the defendants Miller and Fink; the Notice of Motion to dismiss dated July 21, 1982 and the affidavit of C. Daniel Chill dated July 21, 1982 all on behalf of respondent Fink; the Notice of Cross-Motion, dated June 18, 1982, the affidavit of Donald Zimmerman, Esq., dated June 17, 1982 and Answer, all on behalf of defendants Anderson and Rollison; the Notice of Motion, dated June 18, 1982, the Answer; the Notice of Motion to dismiss dated July 21, 1982 and the affidavit of George D. Zuckerman, dated July 21, 1982, all on behalf of defendants Carey,

Cuomo, Abrams and the New York State Board of Elections; the affirmation by James F. X. Hiler, Esq., dated June 16, 1982 and Answer on behalf of the Board of Elections in the City of New York; the Order to Show Cause, Hon. Guy A. Graves, Schenectady County, dated June 7, 1982, the affidavit of Kenneth Gibbons, Esq., dated June 4, 1982 in support thereof and the Petition of Bernard J. LeBlanc, dated June 6, 1982, all on behalf of petitioner, LeBlanc and the affidavit of Peter L. Yellen, dated June 11, 1982, the Order to Show Cause, Hon. Gerald Adler, Kings County, dated June 10, 1982, the affirmation of Robert Whelan, dated June 9, 1982, in support thereof, the Petition, of Robert Whelan, dated June 9, 1982, the Order to Show Cause of Hon. John R. Starkey, dated June 16, 1982 and the affirmation of Robert P. Whelan, June 16, the Order to Show Cause, Hon. James Shaw, dated July 14, 1982, the affirmation of Robert Whelan in support thereof dated July 13, 1982, the two petitions of Robert Whelan, both dated July 13, 1982, all on behalf of the petitioner Whelan; and all the parties on the instant motions and cross-motions having submitted on the papers without oral argument, and due deliberation having been had thereon and on the written decision dated October 28, 1982 it is hereby

ORDERED, that all proceedings in index number 14618/82 and 12124/82 be and the same hereby are consolidated with this proceeding, and it is further

ORDERED, that the motion to renew by petitioner LeBlanc and the cross-motions seeking the same relief be and the same hereby are denied, and it is further

ORDERED, that the cross-moton to resettle the Order of this Court, Hon. Gerald Adler, dated June 21, 1982 be and the same hereby is granted and Chapter 111 and Chapter 455 of the Laws of 1982 be and hereby are declared to be valid and constitutional in all respects, and to avoid

possible confusion in the prosecution of pending appeals in the matter, said original Order be and the same hereby is superceded by this Order on the issue of the validity and constitutionality of Chapter 111 of Laws of 1982.

ENTER

s/

Gerald Adler, J.S.C.

85-1170

No. ____

Supreme Court, U.S.
FILED
JAN 22 1986
JOSEPH F. SPANIOL, JR.
CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1985

BAY RIDGE COMMUNITY COUNCIL, INC., et al.,

Plaintiffs-Appellants,

—v.—

HUGH L. CAREY, et al.,

Defendant-Appellees.

In the Matter of the Petition of

ROBERT P. WHELAN,

Petitioner-Appellant,

CLARANCE P. RAPPLEYEA,

Intervenor-Appellant

ON APPEAL FROM THE COURT OF APPEALS
OF THE STATE OF NEW YORK

RESPONSE OF APPELLEE, ROBERT P. WHELAN, TO JURISDICTIONAL STATEMENT OF INTERVENOR-APPELLANT, CLARANCE P. RAPPLEYEA

ROBERT P. WHELAN, *pro se*
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STATEMENT

ROBERT P. WHELAN, pro se, appellee, pursuant to Rule 10.2 of the Rules of the Supreme Court of the United States, supports the position of appellant, Clarence P. Rappleyea.

Pursuant to Rule 34.2 of the Rules one addendum is made to question presented by said appellant. In pages A8-A9 of said appellant's jurisdictional statement the Appellate Division, affirmed by the New York Court of Appeals, rejected the mandate of the New York State Constitution, Article 5, paragraph 4 that the New York City Council should have redrawn the districts as it had always done, Matter of Richardson, 307 N.Y. 269 citing Matter of Orans, 15 N.Y. 2d 339, 351-352, following WMCA, Inc. v. Lomenzo, 377 U.S. 633.

In WMCA, Inc., footnote 12, Justice Warren alludes to the Article without comment.

Yet in Orans, Judge Desmond said it "must go by the board". This article was not something adopted thoughtlessly, but was the subject of debate in the New York State Constitutions of 1848, 1867, 1894 and the convention in 1967.

Article 1 Sec. 2 of the New York State Constitution states that the right to a jury trial shall "remain inviolate forever".

Can a state, even a sovereign state, decide that it does not like jury trials and hold that, because of some comment by the Supreme Court (even an uncritical comment) that jury trials should "go by the board"?

The situation here is the more serious because both legislature and judiciary (and executive too) seem to have acted in concert.

Otherwise, the jurisdictional statement of appellant, Rappleyea, is unimpeachable and appellee concurs in the same in all respects.

With due respect no table of contents and authorities is submitted pursuant to Rule 33.5, this document not exceeding three pages.

CONCLUSION

The case should be set for hearing.

Respectfully submitted,

ROBERT P. WHELAN
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No. 85-1170

Supreme Court, U.S.
FILED
FEB 20 1986
JOSEPH F. SPANIOL, JR.
CLERK

IN THE

Supreme Court of the United States

October Term, 1985

CLARENCE RAPPLEYEA,

Intervenor-Appellant,

against

MARIO CUOMO, *et al.*,

Defendants-Appellees.

On Appeal from the Court of Appeals of the State of New York

MOTION TO DISMISS OR AFFIRM

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20 pp

Question Presented

Assuming that a claim of political gerrymandering is justiciable, is a substantial federal question presented where three lower courts have found that the pleadings and proof are factually inadequate to establish invidious partisan discrimination?

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No. 85-1170

IN THE

Supreme Court of the United States

October Term, 1985

CLARENCE RAPPLEYEA

Intervenor-Appellant,

against

MARIO CUOMO, *et al.*,

Defendants-Appellees.

On Appeal from the Court of Appeals of the State of New York

MOTION TO DISMISS OR AFFIRM

Appellees[1] Mario Cuomo, Stanley Fink and Melvin Miller jointly move pursuant to Rule 16 to dismiss or affirm on the ground that this appeal fails to present a substantial federal question, even if this Court holds in *Davis* v. *Bandemer*, No. 84-1244 (argued 10/7/85) that a claim of partisan gerrymanding is justiciable.

1. Mario Cuomo, who succeeded Hugh L. Carey as Governor of the State of New York, is substituted in the place of the former governor as a party-appellee. Appellee Fink remains the Speaker of the Assembly of the State of New York and Appellee Miller, an Assemblyman, was Co-Chair of the Legislative Task Force on Reapportionment. Only Intervenor-Rappleyea has docketed an appeal in this Court. Plaintiffs Bay Ridge Community Council, Inc., *et al.* never appealed to the Court of Appeals and petitioner Bernard LeBlanc's appeal thereto was dismissed for want of prosecution.

Statement of the Case

Appellees adopt the facts set forth in the opinions below (J.S. App. 2, 11).[2] This action is consolidated from three separate proceedings filed by Bay Ridge Community Council, Inc., Bernard J. LeBlanc and Robert P. Whelan ("plaintiffs"), respectively. Clarence P. Rappleyea ("Intervenor"), the Minority Leader of the State Assembly, did not intervene in this case until after the record was developed and the trial court had granted appellees' motions for summary judgment. Intervenor intervened at the intermediate appellate stage of these proceedings, but failed to file an intervention pleading (CPLR 1014), or motions to vacate the judgment of the trial court or to reopen the record.[3] Therefore, Intervenor is bound by the record developed and claims asserted by the plaintiffs. *Cf. Martin* v. *Ronan,* 47 N.Y.2d 486, 419 N.Y.S.2d 42, 392 N.E.2d 1226 (1979); *see also Garrity* v. *Gallen,* 697 F.2d 452, 457-458 (1st Cir. 1983); *Petition of Geisser,* 554 F.2d 698, 705 n.6 (5th Cir. 1977).

Specifically, the pleadings of plaintiff Bay Ridge Community Council, Inc. advanced no federal claim whatsoever, but relied solely on Article III of the New York Constitution (SR 96-107).[4] Robert Whelan's petition averred only

2. References to J.S. App. are to the appendix attached to the Jurisdictional Statement filed by Intervenor.

3. One copy of Intervenor's affidavit in support of his motion to intervene, not included in the State Record, is lodged herewith.

4. References to "SR" denote citations to the Record used in the State Court of Appeals, one copy of which is lodged herewith. The Court of Appeals, by Order dated September 11, 1985, granted Intervenor's motion to supplement the record with the maps now lodged with this Court *only to the extent* of permitting reference thereto at oral argument.

that the reapportionment statute "is a 'gerrymander' and in violation of the United States Constitution, 14th Amendment, Section 1" (SR 373); and the petition of Bernard J. LeBlanc merely alleged, "Upon information and belief, the assembly districting plan contained in Chapter 111 of the Laws of 1982, as Amended has been designed to maximize the political power of a particular party." (SR 137-138). However, neither Whelan's nor LeBlanc's petition identified any facts in support of their federal claim (SR 138, 373).

The plaintiffs chose to bring expedited motions for a preliminary injunction to block implementation of the reapportionment statute (SR 81, 124, 347). In response, appellees noticed motions for summary judgment to dismiss all the claims raised by the plaintiffs (SR 143). Appellees' motions were supported by the lengthy and detailed affidavit of Assemblyman Miller (SR 145-178) which explained each of the various entirely neutral factors influencing the drawing of the districts challenged by plaintiffs, such as topography and the mandatory "block or border" and "town or border" rules of the State constitution.[5] Assemblyman Miller also described the impact of the population equality strictures set forth in this Court's opinion in *WMCA* v. *Lomenzo*, 377 U.S. 633 (1964), and followed in *Matter of Schneider*, 31 N.Y.2d 420, 340 N.Y.S.2d 889, 293 N.E.2d 67 (1972), where the Court of Appeals rejected a similar claim of partisan gerrymandering as to the prior redistricting statute. Primarily addressing New York City districts, Assemblyman Miller discussed the effect of the

5. Article III, § 5 of the New York Constitution requires that any towns and blocks which can be included in either of two adjoining Assembly districts shall be so placed as to make districts most nearly equal in numbers of inhabitants.

Voting Rights Act's requirement prohibiting a redistricting plan from diluting the voting strength of racial minorities.[6] In response to appellees' motions, the plaintiffs submitted no opposition papers but relied solely upon their original pleadings.

The trial and appellate courts considered and rejected plaintiffs' federal claim. Contrary to Intervenor's mischaracterization of the decisions below, none of the state courts relied solely upon the ground that partisan gerrymanding claims are non-justiciable. Rather, adopting a clear alternate holding, the trial and intermediate appellate courts assumed for the purposes of argument that plaintiffs' gerrymandering claim was justiciable, but concluded that the plaintiffs had utterly failed to adduce any proof that the statute was enacted with an invidiously discriminatory purpose or that it effectuates partisan discrimination (J.S. App. 1, 6, 8, 19).

It is from this judgment that Intervenor appeals.

---

6. Since 1974, the counties of New York, Bronx and Kings have been covered jurisdictions subject to the pre-clearance requirements of Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973. See *United Jewish Organizations of Williamsburg* v. *Carey*, 430 U.S. 144, 148-149 (1974). At the time the instant reapportionment statute was being considered in the Legislature, both the Justice Department and a three-judge federal court were reviewing the Legislature's compliance with the Voting Rights Act. *See Flanteau* v. *Anderson*, 537 F.Supp. 257 (S.D.N.Y. 1982) (three-judge court) *app. dism.* 458 U.S. 1123 (1982). On June 22, 1982, the United States Attorney General interposed objections to the reapportionment plan initially enacted in 1982 N.Y. Laws, Ch. 111. Subsequently, the Legislature amended the statute to meet those objections, 1982 N.Y. Laws, Ch. 455, and the Attorney General pre-cleared the statute on July 4, 1982. The amended statute made no changes in the districts challenged by plaintiffs and Intervenor in the consolidated proceedings that led to this appeal, but the original judgment was resettled in order to declare Chapter 455 constitutional in all respects (SR 35-42, 60.1-62).

ARGUMENT

This appeal does not present a substantial federal question, even assuming it presents a justiciable issue.

Appellees urge the Court to summarily dismiss this appeal or affirm the judgment below on the ground that the plaintiffs' abject failure to establish a *prima facie* case of partisan gerrymandering renders this appeal so insubstantial as not to require further briefing or argument. This appeal presents no novel or substantial question of federal law.[7] Intervenor primarily seeks to reverse the state courts' findings on motions for summary judgment even though the original plaintiffs did not articulate evidentiary facts in their pleading or challenge the detailed affidavit supporting appellees' motions for summary judgment. In rejecting the political gerrymander claim on sufficiency of the evidence grounds the state courts invoked longstanding and legitimate rules of procedure designed to dispose summarily of insubstantial claims. *See, e.g. Zuckerman* v. *City of New York*, 49 N.Y.2d 557, 427 N.Y.S. 2d 593, 404 N.E.2d 718 (1980); *Shapiro* v. *Health Insurance Plan For Greater New York*, 7 N.Y.2d 56, 194 N.Y.S.2d 509, 163 N.E.2d 333 (1959) (party seeking to defeat summary judgment must proffer admissible evidence to demonstrate genuine triable issue and cannot rely on mere conclusory and unsubstantiated allegations); *see* Fed. R. Civ. Pro.

7. The Response of Appellee, Robert P. Whelan, to the Jurisdictional Statement presents solely a question of state law on the applicability of Article V, § 4 of the New York Constitution. As such it is beyond the jurisdiction of this Court. *Twentieth Century Fox Film Corp.* v. *Muller*, 296 U.S. 207 (1935).

56(e). Hence, the material facts essentially were uncontroverted, and the trial court's conclusion that those facts were inadequate to sustain a claim of partisan political gerrymandering was unanimously affirmed by two appellate courts. Under these circumstances, this Court should not note probable jurisdiction to examine either the lower courts' factual findings or their assessment of the sufficiency of the evidence. *See generally Rogers* v. *Lodge*, 458 U.S. 613, 622-23 (1982); *Branti* v. *Finkel*, 445 U.S. 507, 512 n.6 (1980).

In any event, the record clearly establishes that plaintiffs failed to establish a *prima facie* case of partisan political gerrymandering. No decision of this Court has recognized charges of partisan gerrymandering as stating a justiciable federal cause of action.[8] However, Justice Stevens in a concurring opinion, in *Karcher* v. *Daggett*, 462 U.S. 725, 744, 754-55 (1983), proposed several elements for a *prima facie* case of partisan gerrymandering, emphasizing that even then the burden of proof on a plaintiff would be heavy. A plaintiff must show: (1) that he is a member of an identifiable political group whose voting strength has been diluted by the challenged redistricting scheme; and (2) objective evidence of irregularity, *i.e.*, oddly shaped districts, a departure from standard procedure during enactment of the districting process or extensive deviation from established political boundaries.

8. *Davis* v. *Bandemer*, No. 84-1244 was argued before this Court on October 7, 1985. In that case a majority of a three-judge court invalidated a reapportionment of the Indiana Legislature for partisian gerrymandering. *Bandemer* v. *Davis*, 603 F. Supp. 1479 (S.D. Ind. 1984) *prob. juris. noted* —— U.S. ——, 105 S.Ct. 1840 (1985). We demonstrate below, *infra* at 8, that this case is wholly distinguishable from *Davis* v. *Bandemer*.

Even if the complainant establishes a *prima facie* case, the districting scheme "will nevertheless be constitutionally valid if the State can demonstrate that the plan as a whole embodies acceptable, neutral objectives." *Id.* at 760

Specifically relying upon these standards, the intermediate state appellate court, held that the plaintiffs had failed to establish a *prima facie* case of partisan gerrymandering (J.S. App. 7). The court emphasized plaintiffs' failure to produce sufficient evidence of a partisan intent or alternative districting plans that would provide for both more compact districts and greater population equality. *Id.* Moreover, as we demonstrated earlier, plaintiffs failed to produce any evidence which even arguably suggests that the voting strength of an identifiable political group had been diluted or that procedural irregularity infected the challenged enactment. As noted, Intervenor was content to rest on the original plaintiffs' pleadings and proof.

Conversely, the record establishes that the redistricting plan as a whole embodies acceptable, neutral objectives. Assemblyman Miller's affidavit addressed with specificity plaintiffs' challenges to the statute and explained the numerous neutral criteria which necessitated the challenged districts and the plan as a whole. These factors include: topography; "block or border" and "town or border" rules of Article III, § 5 of the State Constitution; Voting Rights Act requirements, and the population equality requirement (SR 145-178). In fact, neither Intervenor

nor plaintiffs ever disputed the factual allegations in Assemblyman Miller's affidavit. Accordingly, even if this Court reweighs the sufficiency of the evidence, the record amply establishes that New York's redistricting plan is constitutional.

Thus, this case stands in sharp factual contrast to *Davis* v. *Bandemer, infra* where the Court noted probable jurisdiction apparently to consider whether a charge of political gerrymandering constitutes a justiciable federal claim. Of course, if this Court reverses the district court's holding in *Bandemer* on the ground that political gerrymandering claims are non-justiciable, this appeal would be foreclosed.

Because of the significant factual difference between this case and *Bandemer,* summary dismissal or affirmance is appropriate here in any event. In contrast to *Bandemer,* the uncontroverted facts overwhelmingly support a finding that the redistricting scheme was adopted for non-discriminatory reasons. In *Bandemer,* the district court found Indiana's use of inconsistent and unexplained multi-member districts was evidence of partisan discriminatory intent while in this case no multi-member districts exist. Contrary to *Bandemer,* New York's redistricting scheme was enacted through the efforts of the leading members of the parties and had the approval of virtually every Republican in the State Senate and more than one-quarter of the Republicans in the Assembly. (See Assembly Journal, July 1, 1982 at 2236; Senate Journal, July 1, 1982 at 303.) Indeed, the single highest ranking Republican in the Legislature, defendant Anderson, Senate Majority

leader, joined with appellees in seeking the dismissal of the Bay Ridge plaintiffs' complaint which alleged that appellees had violated State constitutional guarantees for political ends. (SR 118-132) Finally, all of the courts below rejected Intervenor's attack on the statute based on the anti-gerrymandering provisions in Article III, § 5 of the State constitution which requires districts to be as compact and convenient as possible. (J.S. App. 1, 5-6, 14-16)

Intervenor's policy and legal arguments also lack merit. Indifferent to the teaching of *Gaffney* v. *Cummings*, 412 U.S. 735 (1973), and lacking any concrete evidence of intentional discrimination, appellant must rely on the flawed thesis that party registration or prior voting patterns should dictate future election results, and that the ultimate winners of elections must be in lockstep harmony with such statistical data. If not, according to Intervenor, the cause of the disharmony is *ipso facto* political gerrymandering. In effect, Intervenor argues that the number of votes obtained by Republican party candidates statewide and countywide should translate into a proportionately equal number of Republican seats in the New York State Assembly. This Court however "has sternly set its face against the claim, however phrased, that the Constitution somehow guarantees proportional representation." *City of Mobile* v. *Bolden*, 446 U.S. 55, 79 (1980); *see also White* v. *Regester*, 412 U.S. 755, 765-66 (1973); *Whitcomb* v. *Chavis*, 403 U.S. 124, 149, 156-57, 160 (1971).

Furthermore, Article III, § 5 of the New York State Constitution mandates a winner-takes-all, single-member district election system. Such a system makes impossible any accurate correlation between the percentage of state-

wide or countywide votes for a particular party and the number of seats actually won in a legislative body. Proportionality requirements are utterly inconsistent with New York's electoral system in which state legislators represent single districts. *See Whitcomb* v. *Chavis*, 403 U.S. 124, 153 (1970): ("[T]ypical American legislative elections are district-oriented, head-on races between candidates of two or more parties.").

Contrary to Intervenor's suggestions political considerations in a districting plan do not automatically render it illegal. Even the legal commentators relied upon by Justice Stevens in *Karcher* v. *Daggett* agree that political considerations are a legitimate part of the redistricting process and that some vote dilution will inevitably result from residential patterns. Professor Engstrom has noted:

> The essential problem is that any districting system, when combined with winner-take-all elections, is discriminatory to some extent because some vote dilution will inevitably result from the residential dispersion or concentration of a group's voting strength.

Engstrom, *The Supreme Court and Equipopulous Gerrymandering: A Remaining Obstacle in the Quest for Fair and Effective Representation*, 2 Ariz. St. L. J. 277, 282 (1976).

Justice Stevens, in his concurring opinion in *Karcher*, recognized that some "vote dilution" will inevitably result from "residential patterns" where one party is heavily concentrated in the urban areas (as in New York). 462 U.S. at 760 n.27. The source Justice Stevens cited, Backstrom, Robins & Eller, *Issues in Gerrymandering: An*

Exploratory Measure of Partisan Gerrymandering Applied to Minnesota, 62 Minn. L. Rev. 1121, 1127 (1978), expands upon this point:

> Aside from those analysts who emphasize physical appearance as a means of identifying gerrymandering, others purport to measure gerrymandering by focusing on the partisan outcome of the legislative election following a redistricting. Analysts using this approach compare the percentage of a party's legislative vote statewide with a percentage of seats gained. Marked disparities between the two figures are said to indicate the existence of a gerrymander.
>
> This method of identifying gerrymandering, like the first, has major flaws. First, the approach fails to account for the fact that the difference between percentage of vote and number of seats captured may in fact be the result of natural advantages—the inordinate concentration of partisans in one place—rather than any deliberate partisan districting scheme.

Moreover, Intervenor simplistically assumes that voters cast ballots strictly on the basis of party affiliation. That assumption ignores the increasing importance of incumbency, media advertising, and the tendency towards "ticket-splitting" throughout the electorate.[9]

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9. For example, in Richmond County two of three Assemblymen are Democrats, but the State Senator and the United States Representative for those districts are Republicans, and in the remaining Assembly District, represented by a Republican, 61% of enrolled voters are Democrats. Because of the continuing decline of political parties and the rise of independent voters, political scientists have recently noted the difficulty in trying to predict election outcomes based on party affiliation. *See* Asher, "Voting Behavior Research in the 1980's: An Examination of Some Old and New Problem Areas," in *Political Science: The State of the Discipline* 339 (A. Finifter ed. 1983); *see also* Niemi and Deegan, Jr., *A Theory of*

(footnote continued on next page)

Interestingly enough, even if Intervenor's methodology were more sound, the statewide statistics on party enrollment would still undermine his claim. As of April 1984, 58.8 percent of the registered voters were enrolled as Democrats and 41.2 percent as Republicans. In the current Legislature, Democrats compose 56.9 percent of all seats and Republicans 43.1 percent—a close correlation in statistics.

In 1978, under Assembly District lines enacted when the Republican Party controlled both houses of the state legislature as well as the Governor's office, the Democratic party received a total of seats 8.1 percent above its statewide vote for the Assembly. Under the present plan, that disproportion has been reduced to 7.1 percent based on the statewide Assembly vote in 1984.

Perhaps the most telling statistical blow to Intervenor's thesis can be seen in the 1984 Assembly results in Kings County, one of the counties whose districts were under

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Political Districting, 72 Am. Pol. Sci. Rev. (No. 4) 1304 (1978); Norman H. Nie, Sidney Verba and John R. Petocik, *The Changing American Voter* (1976); Gerald Pomper, *Voter's Choice* (1975).

Another example is provided by the results of the 1972 Assembly reapportionment. In 1972, both houses of the Legislature were controlled by the Republicans and the Governor was a Republican as well. In *Schneider* v. *Rockefeller, supra,* the claim of partisan gerrymander was made using the same votes-to-seats analysis that Intervenor asserts. In 1974, the Democrats won a majority of the Assembly, notwithstanding their claim in *Schneider* that the 1972 plan was an unconstitutional gerrymander, and subsequent voting results dramatically differed from what was predicted. As Professor Scarrow observes: "[A]nyone looking at the pattern of bias reflected in the 1976 and 1978 elections would conclude that the Democrats, not the Republicans, had designed the system." H. Scarrow, *The Impact of Reapportionment on Party Representation in the State of New York*, Pol. Stud. J. 937, 943 (1981).

challenge in this case. In 1980, just prior to the present reapportionment, there was one Republican Assemblyman out of twenty-two in Kings County. In 1984, after the challenged reapportionment, there is one Republican Assemblyman out of eighteen in the Assembly. Thus, the Republican party has a greater percentage of Assemblymen in Kings County now than it had before the challenged reapportionment, because only Democrats lost their seats to meet the population equality mandates of *WMCA* v. *Lomenzo, supra.*

In sum, Intervenor, a Republican, claims partisan gerrymandering infects a redistricting statute introduced in the State Senate by the Republican majority leader, and approved by almost every Republican senator and more than one-quarter of Intervenor's Republican colleagues in the Assembly. He asks this Court to invalidate a statute upheld against both federal and state constitutional claims of gerrymandering by all eleven judges below, who were appointed by Governors of both political parties. He rests his claim on flawed use of irrelevant statistics instead of a single datum of record evidence demonstrating invidious discrimination. In short, Intervenor has failed to present a substantial federal question meriting review by this Court.

CONCLUSION

For the foregoing reasons, appellees' motion to dismiss or affirm should be granted because this appeal fails to present a substantial federal question.

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